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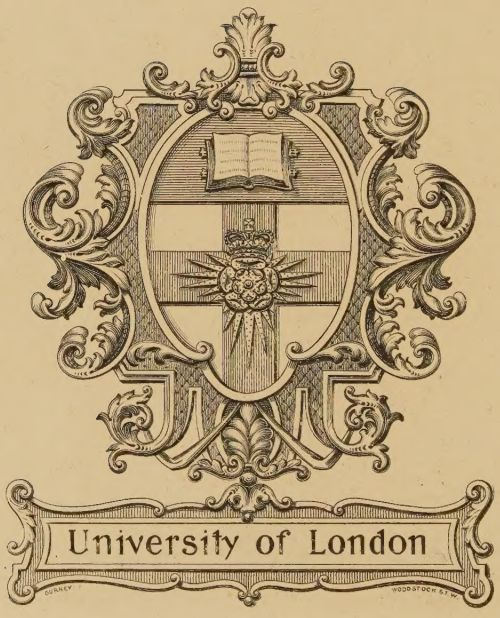

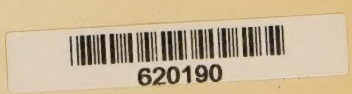
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HANSARD'S

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THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

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TO

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Eighth Volume of the Session.

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Resolved, That Mr. Conybeare, Member for the Camborne Division of Cornwall, be suspended from the service of the House for the remainder of the Session, or for one calendar month, whichever shall first terminate.

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Considered in Committee.

(In the Committee.)

Moved, "That, after 1894, all dividends received by the Treasury in respect of Suez Canal Shares, after deduction of the sum required for paying off the bonds issued for the purchase of such shares, be applied in paying the principal of the amount borrowed,"—(*Mr. William Henry Smith*) 428

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Moved, "That it is expedient to authorise the Treasury to raise such sum authorised to be issued out of the Consolidated Fund by means of Treasury Bills or Exchequer Bonds, the principal and interest of which shall be chargeable on the Consolidated Fund,"—(*Mr. William Henry Smith*) 429

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EDUCATIONAL ENDOWMENTS (SCOTLAND) ACT, 1882 (KIRKCUDBRIGHT CHARITIES)—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the Scheme for the management of the endowments in the parishes of Balmaclellan, Dalry, Kells, and Carsphairn, in the stewartry of Kirkcudbright, known as the Murdoch Endowment, the Johnston Bequest, the Davies Bequest, and the M'Adam Bequest, approved by the Scottish Education Department, now lying upon the Table of the House,"—(*Mr. Mark Stewart*) .. 600

After debate, Question put:—The House *divided;* Ayes 52, Noes 85; Majority 33.—(Div. List, No. 239.)

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Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the Scheme for the management of the Endowments in the parish of Caerlaverock, county of Dumfries, known as the Hutton Trust, approved by the Scottish Education Department, now lying upon the Table of the House" 617

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MOTION.

SITTINGS OF THE HOUSE—EXEMPTION FROM THE STANDING ORDER—

Ordered, That the Proceedings on the Local Government (England and Wales) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House,"—(*Mr. William Henry Smith.*)

ORDERS OF THE DAY.

Expiring Laws Continuance Bill—

Moved, "That leave be given to bring in a Bill to continue various Expiring Laws,"—(*Mr. Jackson*) 679

After short debate, Motion *agreed to*:—Bill *ordered* (*Mr. Jackson, Sir Herbert Maxwell*); *presented* and read the first time [Bill 353.]

Local Government (England and Wales) Bill [Bill 338]—

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Bill *considered* in Committee:—Bill *reported*; as amended, *considered*.

Moved, "That the Bill be now read the third time,"—(*Mr. Ritchie*:)—After short debate, Question put, and *agreed to*:—Bill read the third time, and *passed*.

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Municipal Corporations (Local Bills) (Ireland) Bill—*Ordered* (*Mr. Sexton, Mr. Murphy, Mr. T. D. Sullivan, Mr. Maurice Healy, Mr. O'Keeffe, Mr. Richard Power, Mr. Peter M'Donald*); *presented*, and read the first time [Bill 351] 721

Metropolitan Board of Works (Money) Bill—*Ordered* (*Mr. Jackson, Sir Herbert Maxwell*); *presented*, and read the first time [Bill 354] 721

Public Works Loans Bill—*Ordered* (*Mr. Jackson, Mr. Chancellor of the Exchequer, Sir Herbert Maxwell*); *presented*, and read the first time [Bill 355] 721

SEA FISHERIES REGULATION [EXPENSES]—
Considered in Committee 721
Resolution *agreed to*; to be reported upon *Monday* next.
[1.0.]

LORDS, MONDAY, JULY 30.

INDIA—ADMINISTRATION OF JUSTICE—ALLEGED DEGRADING EXAMINATION OF A HINDOO GIRL AT PATNA—Question, Observations, Lord Stanley of Alderley; Reply, The Secretary of State for India (Viscount Cross) 722

OPEN SPACES (METROPOLIS)—THE SPACE AT THE LAW COURTS—Question, The Earl of Meath; Answer, Lord Henniker 725

Fishery Acts Amendment (Ireland) Bill (No. 86)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Macnaghten*) .. 726
After short debate, Motion *agreed to*:—Bill read 2ª accordingly. [5.0.]

COMMONS, MONDAY, JULY 30.

PRIVATE BUSINESS.

Preston Corporation Bill [*Lords*]—
Bill, as amended, *considered* 728
Bill to be read the third time.

PETITION.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—IMPRISONMENT OF MR. JOHN DILLON, M.P.—Petition presented 729

Moved, "That the Petition be read by the Clerk at the Table,"—(*Mr. Dillwyn:*)—Motion *agreed to:*—Petition read.

QUESTIONS.

THE MAGISTRACY (IRELAND)—TULLAMORE—Question, Dr. Fox; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 729

NATIONAL EDUCATION (IRELAND)—ROMAN CATHOLIC STUDENTS IN THE GOVERNMENT TRAINING COLLEGE—Question, Mr. Biggar; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 730

ARMY (INDIA)—RETIRING ALLOWANCES—Question, Sir Roper Lethbridge; Answer, The Under Secretary of State for India (Sir John Gorst) .. 730

ALLOTMENTS EXTENSION ACT, 1882—THE MENDLESHAM CHARITY ESTATES—Question, Mr. F. S. Stevenson; Answer, Mr. J. W. Lowther .. 731

PUBLIC MEETINGS (IRELAND)—THE ROYAL IRISH CONSTABULARY CODES, 1887-8—Questions, Mr. T. M. Healy, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 732

THE PARKS (METROPOLIS)—BATTERSEA PARK—DISMISSAL OF EMPLOYES—Question, Mr. O. V. Morgan; Answer, The First Commissioner of Works (Mr. Plunket) 733

CONSULAR CHARGES IN ENGLAND—INVOICES FOR THE UNITED STATES—Question, Mr. O. V. Morgan; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 733

NAVY—THE ROYAL MARINE LIGHT INFANTRY—THE MEDICAL OFFICERS—Questions, Mr. Fraser-Mackintosh; Answers, The First Lord of the Admiralty (Lord George Hamilton) 734

ARMY (INDIA)—BENGAL STAFF CORPS—CAPTAIN J. B. CHATTERTON—Question, Mr. Mac Neill; Answer, The Under Secretary of State for India (Sir John Gorst) 734

POOR LAW—CASE OF MRS. SARAH BURGE—COSTS—Question, Mr. Cunninghame Graham; Answer, The President of the Local Government Board (Mr. Ritchie) 735

LAW AND JUSTICE (IRELAND)—EDWARD MAHONY AND OTHERS, RATHCORMACK, Co. CORK—Questions, Dr. Tanner; Answers, The Solicitor General for Ireland (Mr. Madden) 736

EDUCATION DEPARTMENT (SCOTLAND)—BURGH OF CULROSS—Question, Mr. Wallace; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) .. 737

THE SLAVE TRADE—REVIVAL OF THE TRADE IN AFRICA—Question, Mr. Mac Neill; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 738

IRISH LAND COMMISSION—FAIR RENTS—APPLICATION OF JAMES KEELY, Co. KILDARE—Question, Mr. Carew; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 739

IRISH LAND COMMISSION—SITTINGS IN LIMERICK—COSTS OF APPEAL—Questions, Mr. W. Abraham (Limerick, W.); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 740

PIERS AND HARBOURS (IRELAND)—BALLYCOTTON PIER—Questions, Mr. Flynn, Dr. Tanner; Answers, The Secretary to the Treasury (Mr. Jackson) 741

DISTRICT LUNATIC ASYLUMS (IRELAND)—CIRCULAR OF SIR WEST RIDGWAY —Questions, Mr. O'Keeffe, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 741

EVICTIONS (IRELAND)—EVICTIONS ON THE VANDELEUR ESTATE, Co. CLARE —Questions, Mr. Jordan; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 743

EVICTIONS (IRELAND)—EVICTIONS ON THE VANDELEUR ESTATE AT CARNACULLA—ALLEGED VIOLENCE—Questions, Mr. Jordan, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour), Mr. Speaker 744

EVICTIONS (IRELAND)—EVICTIONS ON THE VANDELEUR ESTATE, Co. CLARE —MR. T. W. RUSSELL, M.P.—Questions, Mr. Sheehy, The Lord Mayor of Dublin (Mr. Sexton), Mr. Flynn; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 745

PRISONS (IRELAND) — TULLAMORE GAOL—DR. BARR — Questions, Mr. Maurice Healy, The Lord Mayor of Dublin (Mr. Sexton), Dr. Fox; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 746

THE INQUEST AT MITCHELSTOWN ON MR. MANDEVILLE—EVIDENCE OF DR. BARR—Questions, Mr. Hayden, Mr. Chance, Dr. Kenny; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 748

PUBLIC MEETINGS (IRELAND)—ORANGE DEMONSTRATION, Co. DOWN—MR. BROWNLOW, J.P.—Questions, Mr. Clancy, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 749

ARMS LICENCES (IRELAND)—CONVICTION OF JAMES LEE AT ABBEYFEALE PETTY SESSIONS—Question, Mr. W. Abraham (Limerick, W.); Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 750

ROYAL IRISH CONSTABULARY—ALLEGED ASSAULTS (FERMOY)—Questions, Dr. Tanner; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 751

EDUCATION DEPARTMENT (SCOTLAND)—APPOINTMENT OF SCHOOL INSPECTORS —Question, Dr. Clark; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) 752

INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE BARROW—Questions, Mr. W. A. Macdonald, Mr. Flynn; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 752

EGYPT—PRESERVATION OF ANCIENT MONUMENTS—Question, Mr. Howorth; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 753

SLAVE TRADE IN THE RED SEA—SUAKIN—Question, Mr. Howorth; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 753

METROPOLITAN POLICE — THE "FROG'S MARCH" — Questions, Mr. Channing; Answers, The Secretary of State for the Home Department (Mr. Matthews) 754

LLOYD'S (SIGNAL STATIONS) BILL — COLLECTION OF SHIPPING NEWS — Question, Sir George Baden-Powell; Answer, The Postmaster General (Mr. Raikes) 755

NAVY (SHIPS)—M.M.SS. "HERCULES" AND "SANDFLY"—Questions, Sir William Plowden, Mr. Hanbury; Answers, The First Lord of the Admiralty (Lord George Hamilton) 755

BURIAL LAWS—BURIALS OF NONCONFORMIST PARISHIONERS—Questions, Mr. Channing, Mr. Osborne Morgan; Answers, The Secretary of State for the Home Department (Mr. Matthews) 756

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LAW AND JUSTICE (IRELAND) — NEWTOWNARDS PETTY SESSIONS—NON-ATTENDANCE OF MAGISTRATES — Questions, Mr. M'Cartan, Mr. Johnston; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 757

LANDLORD AND TENANT (IRELAND) — EJECTMENT AND CIVIL BILL DECREES —Question, Mr. M'Cartan; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 758

CORONERS BILL — PUBLICITY OF INQUESTS — Question, Sir Algernon Borthwick; Answer, The Attorney General (Sir Richard Webster) .. 759

DEFEAT OF THE SPANISH ARMADA—TERCENTENARY CELEBRATION—A DAY OF THANKSGIVING—Question, Mr. Johnston; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 759

PUBLIC BUSINESS—THE ADJOURNMENT—THE TITHE RENT-CHARGE BILLS— Questions, Mr. Dillwyn, Sir John Swinburne, Mr. Stanley Leighton, Mr. Cobb; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 760

PUBLIC BUSINESS—THE ADJOURNMENT—THE EMPLOYERS' LIABILITY FOR INJURIES TO WORKMEN BILL—Question, Mr. Broadhurst; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 761

BUSINESS OF THE HOUSE—COMMITTEES OF THE HOUSE—WORK OF MEMBERS —Question, Mr. Bradlaugh; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 762

LOCAL GOVERNMENT BILL (SCOTLAND) — FISHERMEN'S DWELLINGS — Questions, Mr. Esslemont, Dr. Clark; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 763

LIGHTHOUSES AND LIGHTSHIPS—TELEGRAPHIC COMMUNICATION ROUND THE COASTS—Question, Sir George Baden-Powell; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 763

THE INQUEST AT MITCHELSTOWN ON MR. MANDEVILLE — DR. BARR— Questions, Mr. Anderson, Mr. Chance, Mr. Clancy; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 764

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ARREST OF MR. O'KELLY, M.P.—Question, Mr. Parnell; Answer, The Solicitor General for Ireland (Mr. Madden) 765

BUSINESS OF THE HOUSE—Questions, Mr. H. Gardner, Mr. Osborne Morgan, Sir William Harcourt; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 765

RIOTS AND DISTURBANCES (IRELAND) — ALLEGED MURDER OF JOHN FORAN —Question, Colonel Saunderson; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 766

ORDER OF THE DAY.

—o—

Members of Parliament (Charges and Allegations) Bill—

Bill *considered* in Committee [FIRST NIGHT] 767

After long time spent therein, it being Midnight, the Chairman left the Chair to make his Report to the House:—Committee report Progress; to sit again *To-morrow.*

———

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL—MR. J. CHAMBERLAIN AND MR. T. P. O'CONNOR—Complaint, Mr. J. Chamberlain:—Short Debate thereon 882

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ORDERS OF THE DAY.

Consolidated Fund (No. 3) Bill—
Moved, "That the Bill be now read a second time,"—(*Mr. Jackson*) .. 885
Question put, and *agreed to*;—Bill read a second time, and *committed* for *Friday*.

Barrow Drainage Bill [Bill 313]—
Moved, "That the Bill be now read a second time,"—(*Mr. Arthur Balfour*) 886
After short debate, Second Reading *deferred* till *To-morrow*.

Solicitors Bill [*Lords*] [Bill 347]—
Order for Second Reading read 888
Second Reading *deferred* till *To-morrow*.

Copyhold Acts Amendment Bill [*Lords*] [Bill 298]—
Order for Second Reading read 888
Second Reading *deferred* till *To-morrow*.

Municipal Corporations (Local Bills) (Ireland) Bill [Bill 351]
Order for Second Reading read 889
Second Reading *deferred* till *To-morrow*.

PARLIAMENT—ORDER—THE BLOCKING OF BILLS—Question, Mr. Whitbread; Answer, Mr. Speaker 890

MOTIONS.

EDUCATIONAL ENDOWMENTS (SCOTLAND) ACT, 1882 (BURGH OF CULROSS AND COUNTY OF PERTH ENDOWMENTS)—MOTION FOR AN ADDRESS—
Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the Scheme for the management of the Endowments in the burgh of Culross, county of Perth, known as the Geddes Trust, Bill's and Law's Mortifications, and Valleyfield Endowment, approved by the Scottish Education Department, now lying upon the Table of the House,"—(*Mr. Wallace*) .. 890
After short debate, Question put:—The House *divided;* Ayes 56, Noes 95; Majority 39.—(Div. List, No. 248.)

STANDING COMMITTEE ON LAW, &c.—
Ordered, That the Standing Committee for the consideration of Bills relating to Law, and Courts of Justice, and Legal Procedure, do sit and proceed with the Liability of Trustees Bill [*Lords*] upon Friday 3rd August, at Twelve of the clock,—(*Sir Henry James.*) [1.40.]

LORDS, TUESDAY, JULY 31.

STANDING ORDERS OF THE HOUSE—REPORT OF THE SELECT COMMITTEE—
Observations, The Lord Privy Seal (Earl Cadogan) 904

Libel Law Amendment Bill (No. 231)—
Amendments *reported* (according to Order) 904
Bill to be read 3ª on *Friday* next; and to be *printed*, as amended. (No. 244.)

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Distress for Rent (Dublin) Bill (No. 171)—
Order of the Day for the House to be put into Committee, read .. 906
House in Committee (according to Order); Amendments made; the Report thereof to be received on *Friday* next; and Bill to be *printed*, as amended. (No. 245.)

Local Government (England and Wales) Bill (No. 238)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Balfour*) .. 907
After long debate, on Question, *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

South Africa—Outbreak in Zululand—Question, The Earl of Kingston; Answer, The Secretary of State for the Colonies (Lord Knutsford) .. 935
[9.0.]

COMMONS, TUESDAY, JULY 31.

QUESTIONS.

East India (Contagious Diseases Acts)—Questions, Mr. James Stuart; Answers, The Under Secretary of State for India (Sir John Gorst) .. 937
Irish Land Commission—The Land Court—Sitting in Londonderry County—Question, Mr. Lea; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 938
Marriage Laws (Scotland)—Fees for Publishing the Banns—Question, Mr. Philipps; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) 938
Poor Law (England and Wales)—Richmond Workhouse—The Boy Page—Question, Mr. H. J. Wilson; Answer, The President of the Local Government Board (Mr. Ritchie) 938
Charity Commissioners — Holloway Sanatorium Hospital for the Insane—Question, Mr. H. J. Wilson; Answer, Mr. J. W. Lowther .. 939
Poor Law (Ireland)—Boards of Guardians—The Ulster Society School for the Blind, &c. (Belfast)—Question, Mr. Deasy; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 940
Monte Carlo—Reported Suicides—Question, Mr. S. Smith; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 940
Friendly Societies—Belfast and County Down Railway Servants' Provident Society—Rule 12—Question, The Lord Mayor of Dublin (Mr. Sexton); Answer, The Secretary to the Treasury (Mr. Jackson) 941
Railways (Ireland)—Accident on the Waterford, Dungarvan, and Lismore Railway—Question, Mr. Pyne; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) 942
Law and Justice (Ireland)—Co. Antrim Grand Jury—Appointment of Mr. Davidson as Baronial High Constable—Questions, Mr. M'Cartan, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 942
War Office (Auxiliary Forces)—The Militia—Prizes for Shooting—Question, Mr. Radcliffe Cooke; Answer, The Secretary of State for War (Mr. E. Stanhope) 943
War Office (Auxiliary Forces) — Militia Subaltern Officers — School of Musketry at Hythe — Question, Mr. Radcliffe Cooke; Answer, The Secretary of State for War (Mr. E. Stanhope) .. 944
War Office (Auxiliary Forces)—Officers of Infantry Militia—School of Military Engineering, Chatham — Question, Mr. Radcliffe Cooke; Answer, The Secretary of State for War (Mr. E. Stanhope) 945

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CONTAGIOUS DISEASES (ANIMALS) ACT—ANTHRAX—Question, Mr. W. A. M'Arthur; Answer, Viscount Lewisham 946

RAILWAYS — FATAL ACCIDENT AT HYDE JUNCTION — Question, Mr. Summers; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) 946

MERCHANT SHIPPING—WRECK COMMISSIONER'S COURT—RECONSTRUCTION—Question, Mr. Seton-Karr; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) 947

SOUTH AFRICA—SWAZILAND—Question, Mr. J. Chamberlain; Answer, The Under Secretary of State for India (Sir John Gorst) 947

BOARD OF TRADE — WRITERS — PAYMENT OF WAGES — Question, Mr. Lawson; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) 948

IRISH LAND COMMISSION—SUB-COMMISSIONERS—Questions, Mr. Maurice Healy; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 948

POST OFFICE—LOSS OF LETTERS IN THE NEW CROSS DISTRICT—Question, Mr. Bradlaugh; Answer, The Postmaster General (Mr. Raikes) .. 949

METROPOLITAN POLICE—THE "FROG'S MARCH"—Question, Mr. Cunninghame Graham; Answer, The Under Secretary of State for the Home Department (Mr. Stuart-Wortley) 950

PRISONS BOARD (IRELAND)—THE LATE MR. MANDEVILLE—REMOVAL TO TULLAMORE GAOL—Questions, Mr. J. E. Ellis, Mr. Edward Harrington, Mr. Cobb; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 950

POST OFFICE (IRELAND)—MAILS BETWEEN GALWAY AND CLIFDEN—Question, Mr. Pinkerton; Answer, The Postmaster General (Mr. Raikes) 951

THE MAGISTRACY (IRELAND)—THE PETTY SESSIONS AT NEWTOWNARDS—NON-ATTENDANCE OF MAGISTRATES—Questions, Mr. M'Cartan, Mr. Johnston, The Lord Mayor of Dublin (Mr. Sexton), Colonel Waring; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 952

LITERATURE, SCIENCE, AND ART—PHOTOGRAPHIC SURVEY OF THE HEAVENS—Question, Sir Henry Roscoe; Answer, The Chancellor of the Exchequer (Mr. Goschen) 953

PRISONS BOARD (IRELAND) — PHYSICAL EXAMINATION OF CONVICTED PRISONERS—Questions, Dr. Kenny, Mr. Clancy; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 954

THE MAGISTRACY (IRELAND) — KILRUSH PETTY SESSIONS — MR. CECIL ROCHE, R.M.—Questions, Mr. Jordan, Mr. W. Redmond; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 955

EVICTIONS (IRELAND)—THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE—ALLEGED ALTERCATIONS—Questions, Mr. Jordan; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 956

MERCHANT SHIPPING—EXPLOSION ON A TRAWLER IN THE NORTH SEA—ENGINEERS' CERTIFICATES—Question, Mr. Broadhurst; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) .. 957

IRELAND — CUSTOMS OFFICERS, QUEENSTOWN — THE ALLAN STEAMSHIP COMPANY—Question, Mr. Lane; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) 958

METROPOLIS—LAND AT BATTERSEA—THE VESTRY OF ST. JAMES, WESTMINSTER—Question, Mr. O. V. Morgan; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 958

THE INQUEST AT MITCHELSTOWN—MR. MANDEVILLE—Questions, Mr. W. E. Gladstone, Mr. Shaw Lefevre; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 959

MOTION.

SITTINGS OF THE HOUSE — EXEMPTION FROM THE STANDING ORDER — RESOLUTION—

Moved, "That the Proceedings on the Members of Parliament (Charges and Allegations) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order, 'Sittings of the House,'"—(*Mr. William Henry Smith*) .. 960

Question put:—The House *divided;* Ayes 231, Noes 159; Majority 72.—(Div. List, No. 249.)

ORDER OF THE DAY.

Members of Parliament (Charges and Allegations) Bill—

Bill *considered* in Committee [*Progress* 30*th July*] [SECOND NIGHT] .. 960

After long time spent therein, Committee report Progress; to sit again *To-morrow.*

BUSINESS OF THE HOUSE—SCOTCH BUSINESS—Observations, Mr. Hunter; Reply, The Chancellor of the Exchequer (Mr. Goschen:)—Short Debate thereon 1101

MOTIONS.

Canal Development Bill—*Ordered* (*Mr. Philip Stanhope, Mr. Robert Reid, Mr. Hunter, Mr. Brunner, Mr. Ernest Spencer*); *presented,* and read the first time [Bill 358] 1106

Elementary Education (Continuation Schools) Bill—*Ordered* (*Mr. Samuel Smith, Sir Henry Roscoe, Sir John Lubbock, Sir George Baden-Powell, Mr. John Morley, Mr. Bryce, Mr. Cyril Flower, Mr. Fisher, Mr. James William Lowther*); *presented,* and read the first time [Bill 359] 1106

Hawkers Bill—*Ordered* (*Mr. Jackson, Sir Herbert Maxwell*); *presented,* and read the first time [Bill 360] 1107

[3.45 A.M.]

COMMONS, WEDNESDAY, AUGUST 1.

ORDER OF THE DAY.

Members of Parliament (Charges and Allegations) Bill—

Bill *considered* in Committee [*Progress* 31*st July*] [THIRD NIGHT] .. 1107

After long time spent therein, Committee report Progress; to sit again *To-morrow.*

NOTICE OF MOTION.

BUSINESS OF THE HOUSE—PROCEDURE ON THE MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL—Notice, The Chancellor of the Exchequer (Mr. Goschen); Questions, Mr. W. E. Gladstone, Mr. T. M. Healy; Answers, Mr. Goschen 1189

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ORDERS OF THE DAY.

—o—

School Board for London Election Bill [Bill 78]—
Order for Second Reading read 1190
Second Reading *deferred* till *Friday*.

Municipal Corporations (Local Bills) (Ireland) Bill [Bill 351]
Moved, "That the Bill be now read a second time,"—(*Mr. Sexton*) .. 1191
Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow*.

QUESTIONS.

—o—

Business of the House—Question, Mr. Mundella; Answer, The Chancellor of the Exchequer (Mr. Goschen) [Further Questions thereon] 1191

Chapels (Clonmacnoice) Bill — *Ordered* (*Colonel Nolan, Mr. T. M. Healy, Dr. Fitzgerald*); *presented*, and read the first time [Bill 361] 1194
[5.55.]

LORDS, THURSDAY, AUGUST 2.

South Africa—Zululand—Surrender of Native Chiefs — Question, Earl Granville; Answer, The Secretary of State for the Colonies (Lord Knutsford) 1195

Railway and Canal Traffic Bill—
Commons Amendments *considered* (according to order) 1195
Amendments *agreed to*; and Bill, with the Amendments, returned to the Commons. [6.15.]

COMMONS, THURSDAY, AUGUST 2.

QUESTIONS.

—o—

Members of Parliament (Charges and Allegations) Bill — The Debate of Tuesday, July 31—Amendment of Entry in Votes—Observations, The Lord Mayor of Dublin (Mr. Sexton); Reply, Mr. Speaker 1208
Metropolitan Police — Expenses of Defence of certain Constables—Question, Mr. Howard Vincent; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1209
Reformatory and Industrial Schools—Report of the Royal Commission—Question, Sir Ughtred Kay-Shuttleworth; Answer, The Secretary of State for the Home Department (Mr. Matthews) .. 1210
Registration of Deeds and Assurances (Ireland)—Insanitary Condition of the Office—Question, Mr. Mac Neill; Answer, The Secretary to the Treasury (Mr. Jackson) 1210
Railways (England and Wales)—Accidents at Level Crossings—Question, Mr. M'Laren; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) 1211
Education Department—School Board Elections—Hours of Polling—Question, Mr. M'Laren; Answer, The Vice President of the Council (Sir William Hart Dyke) 1212

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POST OFFICE (IRELAND)—POST OFFICE AT KILMORE, CO. ROSCOMMON—Question, Mr. Cox; Answer, The Postmaster General (Mr. Raikes) .. 1212

METROPOLITAN POLICE — THE NEW OFFICES ON THE EMBANKMENT — Question, Mr. Broadhurst; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1213

ROYAL COMMISSION ON WARLIKE STORES—THE SADDLERY DEPARTMENT—MR. DUNN, A WITNESS—Questions, Mr. Broadhurst, Mr. Hanbury, Mr. Arthur O'Connor; Answers, The Secretary of State for War (Mr. E. Stanhope) 1214

PUBLIC HEALTH—POLLUTION OF THE REGENT'S CANAL—Question, Mr. Picton; Answer, The First Commissioner of Works (Mr. Plunket) .. 1215

COMMONS AND OPEN SPACES (METROPOLIS)—FORTUNE GREEN, HAMPSTEAD —Questions, Mr. Brodie Hoare, Mr. Brunner; Answers, The Secretary of State for the Home Department (Mr. Matthews) 1215

WAR OFFICE (AUXILIARY FORCES)—THE 4TH LANCASHIRE ARTILLERY VOLUNTEERS—Question, Mr. Whitley; Answer, The Secretary of State for War (Mr. E. Stanhope) 1216

EGYPT—STORAGE OF THE NILE WATERS—THE RAIAN BASIN—Question, Mr. Woodall; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1216

ROYAL IRISH CONSTABULARY—CONSTABLE PHILLIPS, BALLYGAR—Question, Mr. Hayden; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1217

PARLIAMENTARY ELECTORS (IRELAND)—REVISION COURTS—DUBLIN DISTRICTS—Question, Mr. Edward Harrington; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1218

NEW ZEALAND — CONFLICT AMONG THE MAORIS — Question, Mr. A. M'Arthur; Answer, The Under Secretary of State for India (Sir John Gorst) 1218

SCIENCE AND ART DEPARTMENT—LACE MAKING IN IRELAND—Question, Mr. Justin M'Carthy; Answer, The Secretary to the Treasury (Mr. Jackson) 1219

PIERS AND HARBOURS (IRELAND) — BALLYCOTTON PIER—Question, Mr. Flynn; Answer, The Secretary to the Treasury (Mr. Jackson) .. 1219

POOR LAW (IRELAND)—DONEGAL BOARD OF GUARDIANS—Question, Mr. Mac Neill; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 1220

POOR LAW (IRELAND)—SALARY OF THE ROMAN CATHOLIC CHAPLAIN OF DONEGAL WORKHOUSE—Question, Mr. Macartney; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1223

NAVY (SHIPS)—H.M.S. "BUZZARD"—Question, Sir Edward Watkin; Answer, The First Lord of the Admiralty (Lord George Hamilton) .. 1225

PRISONS (IRELAND)—THE INQUEST AT MITCHELSTOWN ON MR. MANDEVILLE —Questions, Mr. Shaw Lefevre, Mr. Clancy; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1225

THE BANKRUPTCY ACT, 1883—SECTION 122—THE DRAFT RULES—Question, Mr. J. Chamberlain; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) 1226

PUBLIC HEALTH—MEDICAL OFFICERS OF HEALTH—THE RETURN—Questions, Dr. Farquharson, Sir Lyon Playfair; Answers, The President of the Local Government Board (Mr. Ritchie) 1226

ROYAL IRISH CONSTABULARY — "SMYTH *v.* MADDEN AND CURRY" — PAYMENT OF LEGAL EXPENSES OF CONSTABLES—Question, Mr. Edward Harrington; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1227

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PUBLIC MEETINGS (IRELAND)—PARTY DEMONSTRATION AT ENNISKILLEN—COLONEL KINLOCH — Questions, Mr. W. Redmond; Answers, The Secretary of State for War (Mr. E. Stanhope) 1236

AFRICA (WEST COAST)—CUSTOMS DUTIES LEVIED BY THE ROYAL NIGER COMPANY—Question, Mr. Picton; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1237

AFRICA (WEST COAST)—THE ROYAL NIGER COMPANY — Questions, Mr. Picton; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1238

EVICTIONS (IRELAND)—THE EVICTIONS ON THE VANDELEUR ESTATE, Co. CLARE—CASE OF JOANNA O'DEA—Question, Mr. Jordan; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1238

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EVICTIONS (IRELAND)—THE EVICTIONS ON THE VANDELEUR ESTATE, Co. CLARE—ALLEGED DESTRUCTION OF FURNITURE, &c. AT KILRUSH—Questions, Mr. Jordan; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1239

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BURMAH (UPPER) — SALE OF INTOXICATING LIQUORS AND OPIUM—THE RETURNS—Question, Mr. Bryce; Answer, The Under Secretary of State for India (Sir John Gorst) 1240

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BURGH POLICE AND HEALTH (SCOTLAND) BILL—REPORT OF THE SELECT COMMITTEE — Question, Sir George Campbell; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) 1242

MASTERS AND WORKMEN—EXCESSIVE HOURS OF WORK (WILLIAM LOVE)—Question, Dr. Clark; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1242

NAVY—WARLIKE STORES—SUPPLY—NAVY ESTIMATES, VOTE 9—Question, Mr. Hanbury; Answer, The First Lord of the Admiralty (Lord George Hamilton) 1243

WAR OFFICE—ARMY CONTRACTS—THE NEW VALISE EQUIPMENT—Question, Mr. Hanbury; Answer, The Secretary of State for War (Mr. E. Stanhope) 1244

CUSTOMS (STATISTICAL DEPARTMENT)—WRITERS — Question, Mr. James Stuart; Answer, The Secretary to the Treasury (Mr. Jackson) .. 1245

LAW AND POLICE (METROPOLIS)—HAMMERSMITH POLICE COURT—Question, Major-General Goldsworthy; Answer, The First Commissioner of Works (Mr. Plunket) 1245

COAL MINES, &c. REGULATION ACT, 1887—REFUSAL OF CERTIFICATES—Question, Captain Heathcote; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1245

MERCHANDIZE MARKS ACT IN THE COLONIES, &c.—Question, Mr. Mundella; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) 1246

ROYAL PARKS AND PLEASURE GARDENS — KEW GARDENS—ADDITIONAL FACILITIES OF ACCESS—Question, Mr. Tomlinson; Answer, The First Commissioner of Works (Mr. Plunket) 1247

OATHS AND AFFIRMATIONS—OATH OF A DECLARED ATHEIST—Question, Mr. Bradlaugh; Answer, The Attorney General (Sir Richard Webster) 1247

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL—MR. BUCKLE, EDITOR OF THE "TIMES"—Questions, Mr. T. M. Healy, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chancellor of the Exchequer (Mr. Goschen) 1248

BUSINESS OF THE HOUSE—THE ADJOURNMENT—Question, Mr. Causton; Answer, The Chancellor of the Exchequer (Mr. Goschen) [Further Questions thereon] 1249

WAR OFFICE (SMALL ARMS)—THE NEW MAGAZINE RIFLE—Question, Mr. Woodall; Answer, The Secretary of State for War (Mr. E. Stanhope) 1251

SOUTH AFRICA—ZULULAND—SURRENDER OF NATIVE CHIEFS—Question, Mr. J. Chamberlain; Answer, The Under Secretary of State for India (Sir John Gorst) 1251

PRIVILEGE.

—o—

"THE TIMES" NEWSPAPER—BREACH OF PRIVILEGE—RESOLUTION—

Moved, "That the 'Times' newspaper, in its issue of this morning, has been guilty of a breach of the privileges of this House,"—(*Mr. Labouchere*) 1251

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "the House do pass to the Public Business of the Day,"—(*Mr. Chancellor of the Exchequer.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn*:—Motion, by leave, *withdrawn*.

MOTIONS.

SITTINGS OF THE HOUSE—EXEMPTION FROM THE STANDING ORDER—RESOLUTION—

Moved, "That the proceedings on the Members of Parliament (Charges and Allegations) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order 'Sittings of the House,'"—(*Mr. Chancellor of the Exchequer*) .. 1263

Motion *agreed to.*

BUSINESS OF THE HOUSE—PROCEDURE ON THE MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL—RESOLUTION—

Moved, "That at One o'clock a.m. on Friday 3rd August, if the Members of Parliament (Charges and Allegations) Bill be not previously reported from the Committee of the whole House, the Chairman shall put forthwith the Question, or Questions, on any Amendment or Motion already proposed from the Chair. He shall next proceed and successively put forthwith the Questions, That any Clause then under Consideration, and each remaining Clause in the Bill, stand part of the Bill. After the Clauses are disposed of he shall forthwith report the Bill, as amended, to the House. From and after the passing of this Order no Motion, That the Chairman do leave the Chair, or do report Progress, shall be allowed,"—(*Mr. Chancellor of the Exchequer*) .. 1263

After debate, Amendment proposed, after the first word "That," to insert the words "if the Chairman so think fit,"—(*Mr. Maurice Healy :*)—After further short debate, Amendment, by leave, *withdrawn.*

Main Question again proposed 1283

Amendment proposed,

In line 5, to leave out the words "Questions, That any Clause then under consideration, and each remaining Clause of the Bill, stand part of the Bill," and insert the words "several Amendments and new Clauses now printed on the Notice Paper and not then disposed of,"—(*Mr. Asquith,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question :"—After short debate, Amendment, by leave, *withdrawn.*

Main Question put:—The House *divided;* Ayes 237, Noes 185; Majority 52.

Division List, Ayes and Noes 1286

ORDERS OF THE DAY.

Members of Parliament (Charges and Allegations) Bill—

Bill *considered* in Committee [*Progress 1st August*] [FOURTH NIGHT] .. 1290

After long time spent therein, The Chairman, in pursuance of the Order of the House, forthwith left the Chair and reported the Bill, with Amendments, to the House :—Bill, as amended, to be considered on *Monday* next.

Burgh Police and Health (Scotland) (*re-committed*) **Bill** [Bill 340]

Order for Committee read 1361

Committee *deferred* till *Monday* next.

Tithe Rentcharge Recovery and Variation Bill [*Lords*]—

Order for Second Reading read 1361

Second Reading *deferred* till *Monday* next.

DR. TANNER AND MR. BROOKFIELD—Personal Complaint, Dr. Tanner .. 1362

ORDERS OF THE DAY.

Lloyd's Signal Stations Bill [*Lords*] [Bill 343]—

Moved, "That the Second Reading be deferred till Saturday next,"—(*Sir Michael Hicks-Beach*) 1363

After short debate, Question put, and *agreed to*:—Second Reading *deferred* till *Saturday*.

Employers' Liability for Injuries to Workmen Bill [Bill 145]

Moved, "That the Order for Consideration be deferred till To-morrow,"—(*Mr. Jackson*) 1364

Question put, and *agreed to*:—Consideration *deferred* till *To-morrow*.

Oaths Bill [Bill 319]—

Moved, "That the Order for Third Reading be deferred till To-morrow,"—(*Mr Bradlaugh*) 1365

Question put, and *agreed to*.

Pauper Lunatics' Asylums (Ireland) (Officers' Superannuation) Bill [Bill 135]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Johnston*) 1366

Moved, "That the Order for Committee be discharged,"—(*Mr. Johnston*:)—Question put, and *agreed to*:—Order *discharged*:—Bill *withdrawn*.

Municipal Corporations (Local Bills) (Ireland) Bill [Bill 351]—

Bill *considered* in Committee 1366

After short time spent therein, Bill *reported*; as amended, to be considered *To-morrow*.

Copyhold Acts Amendment Bill [*Lords*] [Bill 298]—

Order for Second Reading read 1367

After short debate, Second Reading *deferred* till *Monday* next.

QUESTION.

Business of the House—Questions, Dr. Clark, Mr. T. M. Healy; Answers, The Lord Advocate (Mr. J. H. A. Macdonald), The Secretary to the Treasury (Mr. Jackson) 1368

[1.50.]

LORDS, FRIDAY, AUGUST 3.

Metropolis (Open Spaces)—Parliament Square—Public Seats—Question, The Earl of Meath; Answer, Lord Henniker 1369

Scotland—The Antiquarian Museum and National Portrait Gallery—Question, Observations, The Earl of Rosebery; Reply, The Secretary for Scotland (The Marquess of Lothian) 1369

Italy and Abyssinia—Question, Observations, Lord Napier of Magdala; Reply, The Prime Minister and Secretary of State for Foreign Affairs (The Marquess of Salisbury); Observations, Earl Granville .. 1371

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GIBRALTAR—MOTION FOR PAPERS—

Moved, That there be laid before the House—

"Copies of correspondence and reports (if any) that have been addressed to the Admiralty on the subject of a first-class dock at Gibraltar,"—(*The Viscount Sidmouth*) 1377

After short debate, Motion (by leave of the House) *withdrawn.*

Companies Relief Bill (No. 241)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Crawford*) .. 1379

After short debate, Motion *agreed to*:—Bill read 2ª accordingly.

SWEATING SYSTEM—REFERENCE TO THE SELECT COMMITTEE—

Moved, To amend the reference to the Select Committee appointed to inquire into the sweating system at the East End of London by omitting the words "at the East End of London," and inserting the words "in the United Kingdom,"—(*The Earl of Dunraven*) 1382

After short debate, Motion *agreed to.*

INCOME TAX ON CHARITIES—MOTION FOR PAPERS—

Moved, That there be laid before this House—

1. "Correspondence in 1863 between the Inland Revenue and the Treasury (reprint from 'Charities,' 1865).
2. Statement of amounts on which income tax was refunded in 1886-87, specifying the various classes, as educational, religious, hospitals, doles, &c.
3. Statement of claims for restitution of income tax rejected since August, 1887, specifying the nature of the charity and the reason for the rejection.
4. Any correspondence between the Inland Revenue and trustees of charities and the Charity Commissioners bearing on the new procedure of the Inland Revenue."—(*The Lord Addington*) 1384

After short debate, Motion *agreed to.*

Libel Law Amendment Bill (No. 244)—

Bill read 3ª (according to order) 1387

Bill *passed*, and sent to the Commons; and to be *printed*, as amended. (No. 252.)

Reformatory Schools Bill [H.L.]—*Presented* (*The Earl Brownlow*); read 1ª (No. 250) 1391

Industrial Schools Bill [H.L.]—*Presented* (*The Earl Brownlow*); read 1ª (No. 251) .. 1391

[7.30.]

COMMONS, FRIDAY, AUGUST 3.

QUESTIONS.

INDIA—PUBLIC SERVICE COMMISSIONERS—THE REPORT—Question, Mr. Johnston; Answer, The Under Secretary of State for India (Sir John Gorst) 1392

INDIA—MERCHANDIZE MARKS ACT, 1887—EXTENSION TO INDIA—Question, Mr. Howard Vincent; Answer, The Under Secretary of State for India (Sir John Gorst) 1392

WAR OFFICE (AUXILIARY FORCES)—MILITIA—MUSKETRY EXERCISE—Question, Mr. Radcliffe Cooke; Answer, The Secretary of State for War (Mr. E. Stanhope) 1392

WAR OFFICE (AUXILIARY FORCES)—THE GLAMORGAN ARTILLERY VOLUNTEER CORPS—Question, Colonel Hill; Answer, The Secretary of State for War (Mr. E. Stanhope) 1393

INDIA—THE TEA COMPANIES—THE GOVERNMENT EXCISE SYSTEM (DARJEELING)—Question, Sir Roper Lethbridge; Answer, The Under Secretary of State for India (Sir John Gorst) 1393

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INLAND REVENUE—THE SUCCESSION DUTIES (IRELAND) — Question, Mr. Cowley Lambert; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1394

ARMY (INDIA)—THE STANLEY ENGINEERS—"ABSENTEE PAY"—Question, Colonel Hill; Answer, The Under Secretary of State for India (Sir John Gorst) 1395

NATIONAL EDUCATION (IRELAND) — SIR PATRICK J. KEENAN, RESIDENT COMMISSIONER—Questions, Dr. Kenny; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1395

POST OFFICE—CLERKS ON THE SPECIAL STAFF—Question, Mr. Cunninghame Graham; Answer, The Postmaster General (Mr. Raikes) .. 1396

RIOTS AND DISTURBANCES (IRELAND)—THE O'BRIEN NATIONALIST FLUTE BAND, ANTRIM — Questions, Mr. Macartney, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1397

AFRICA (CENTRAL AND EAST)—THE SLAVE TRADE—Question, Mr. Mac Neill; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1398

CHURCHYARDS AND CEMETERIES — WHITTON GILBERT CHURCHYARD — Question, Mr. Milvain; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1399

WAR OFFICE—THE PIPERS OF THE SCOTTISH REGIMENTS—Question, Dr. Farquharson; Answer, The Secretary of State for War (Mr. E. Stanhope) 1399

WAR OFFICE — CYPRUS — ISSUE OF BEEF TO THE TROOPS — Question, Admiral Field; Answer, The Secretary of State for War (Mr. E. Stanhope) 1400

ALLOTMENTS ACT, 1887—ACQUISITIONS OF LAND—Question, Sir Walter Foster; Answer, The President of the Local Government Board (Mr. Ritchie) 1400

ALLOTMENTS ACT, 1887—THE COMPULSORY CLAUSES—Question, Mr. F. S. Stevenson; Answer, The President of the Local Government Board (Mr. Ritchie) 1401

CROFTERS' COMMISSION — VALUATIONS ON THE SUTHERLAND ESTATE — Question, Mr. A. Sutherland; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) 1401

PUBLIC HEALTH—TUBERCULOSIS IN CHILDREN—DR. WOODHEAD'S LECTURE —Question, Dr. Farquharson; Answer, Viscount Lewisham .. 1402

POST OFFICE (IRELAND)—ENNIS POST OFFICE—Question, Mr. Cox; Answer, The Postmaster General (Mr. Raikes) 1403

WAR OFFICE (AUXILIARY FORCES)—THE MILITIA—PERMANENT STAFF— Question, Mr. Hayden; Answer, The Secretary of State for War (Mr. E. Stanhope) 1403

CIVIL SERVICE—COMPETITIVE EXAMINATIONS—CLERKSHIPS IN THE LOWER DIVISION—Question, Mr. Maurice Healy; Answer, The Secretary to the Treasury (Mr. Jackson) 1404

LAW AND JUSTICE (IRELAND)—CORONERS' JURIES—VERDICTS—Questions, Mr. J. E. Ellis, Mr. Anderson, The Lord Mayor of Dublin (Mr. Sexton), Dr. Kenny, Mr. Johnston; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1404

POOR LAW (IRELAND)—BOARDS OF GUARDIANS—SUSPENSIONS—Question, Mr. J. E. Ellis; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1406

LAW AND JUSTICE (ENGLAND AND WALES)—"REGINA *v.* 'ST. STEPHEN'S REVIEW'"—COUNCILLOR JAMES JUDD—Question, Mr. Cunninghame Graham; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1406

TURKEY (ASIATIC PROVINCES)—PERSECUTION OF ARMENIAN PROTESTANTS—Questions, Sir Robert Fowler; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1407

NORTH SEA FISHERIES CONVENTION—SEIZURE OF FRENCH VESSELS—Question, Mr. Maclure; Answer, The First Lord of the Admiralty (Lord George Hamilton) 1407

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—OWNER OCCUPIERS—VOTES FOR COUNTY COUNCILLORS—Question, Viscount Grimston; Answer, The President of the Local Government Board (Mr. Ritchie) .. 1408

LAW AND JUSTICE (IRELAND)—JURY LAWS—WRONGFUL CONVICTIONS AT THE WICKLOW ASSIZES—Question, Mr. W. J. Corbet, The Lord Mayor of Dublin (Mr. Sexton), Mr. T. M. Healy; Answers, The Solicitor General for Ireland (Mr. Madden) 1408

SPAIN—DR. GOWING MIDDLETON, A BRITISH SUBJECT—CHARGE OF MURDER AT CORDOVA—Question, Mr. Rowntree; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1409

NAVY—SERGEANT T. MUNAN, OF H.M.S. "WASP"—Questions, Dr. Kenny; Answers, The First Lord of the Admiralty (Lord George Hamilton) 1410

NAVY—THE NAVAL KNIGHTS OF WINDSOR—COMMANDER CAWLEY—Question, Lord Charles Beresford; Answer, The First Lord of the Admiralty (Lord George Hamilton) 1411

CUSTOM HOUSE CLERKS—HOURS OF WORK AND PAY—Question, Mr. Kelly; Answer, The Secretary to the Treasury (Mr. Jackson) .. 1412

IRISH LAND COMMISSION—SUB-COMMISSIONERS—Question, Mr. M'Cartan; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 1412

INDIA—THE CANTONMENTS ACTS—Question, Mr. James Stuart; Answer, The Under Secretary of State for India (Sir John Gorst) .. 1413

NAVY—DOCKYARDS—THE OFFICIAL PROGRAMME AT DEVONPORT—Question, Sir John Puleston; Answer, The First Lord of the Admiralty (Lord George Hamilton) 1413

CRIMINAL LAW—7 & 8 GEO. IV., CAP. 28—REPEAL OF THE "WHIPPING PROVISIONS"—Question, Mr. Pickersgill; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1415

WAR OFFICE—THE ARTILLERY COMMITTEE—THE REPORT—Question, Colonel Sandys; Answer, The Secretary of State for War (Mr. E. Stanhope) 1415

WAR OFFICE—THE "FIELD EXERCISES"—NEW EDITION"—Question, Colonel Waring; Answer, The Secretary of State for War (Mr. E. Stanhope) 1415

THE EXCISE DUTIES (LOCAL PURPOSES) BILL—Questions, Mr. Causton, Mr. Osborne Morgan; Answers, The Chancellor of the Exchequer (Mr. Goschen) 1415

CIVIL ESTABLISHMENTS—SECOND REPORT OF THE ROYAL COMMISSION—Question, Sir Roper Lethbridge; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1417

PUBLIC BUSINESS—THE TITHE RENTCHARGE BILLS—Question, Mr. Dillwyn; Answer, The First Lord of the Treasury (Mr. W. H. Smith); Question, Mr. J. Bryn Roberts [No reply] 1417

SITTINGS OF THE HOUSE—THE AUTUMN SESSION—Questions, Mr. Campbell-Bannerman, Mr. Cobb, Mr. J. B. Balfour; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 1418

Business of the House—Questions, Mr. Cremer, Mr. Arthur O'Connor, Mr. Baumann, Mr. Bradlaugh, Mr. F. S. Stevenson, Mr. Wallace, Mr. T. M. Healy, Mr. Esslemont, Sir George Trevelyan; Answers, The First Lord of the Treasury (Mr. W. H. Smith) [Further Questions thereon] 1419

South Africa—The Hostilities in Zululand—Question, Mr. Osborne Morgan; Answer, The Under Secretary of State for India (Sir John Gorst) 1424

Divisional Magistrates (Ireland) Bill—Questions, Mr. J. E. Ellis, The Lord Mayor of Dublin (Mr. Sexton); Answers, The First Lord of the Treasury (Mr. W. H. Smith), The Secretary to the Treasury (Mr. Jackson) 1424

Sittings of the House, Exemption from the Standing Order—

Ordered, That the proceedings of the Committee of Supply, if the Committee be sitting at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House,"—(*Mr. William Henry Smith.*)

ORDERS OF THE DAY.

—o—

SUPPLY — *considered* in Committee — Civil Services and Revenue Departments—

(In the Committee.)

Further Vote on Account.

Motion made, and Question proposed, "That a further sum, not exceeding £7,712,800, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1889," viz.:— [Then the several Services are set forth] 1425

After debate, *Moved*, "That the Item of £16,000, for the Office of the Chief Secretary for Ireland, be reduced by the sum of £2,000,"—(*Mr. T. P. O'Connor:*) —Question put:—The Committee *divided:*—Ayes 55; Noes 132: Majority 77.—(Div. List, No. 261.)

Original Question again proposed 1548

After short debate, Original Question put, and *agreed to.*

Army Estimates.

Motion made, and Question proposed, "That a sum, not exceeding £652,000, be granted to Her Majesty, to defray the Charge for Transport and Remounts, which will come in course of payment during the year ending on the 31st day of March, 1889" 1549

After short debate, *Moved*, "That the Chairman do report Progress, and ask leave to sit again;"—Question put, and *agreed to.*

Resolution to be reported *To-morrow;* Committee also report Progress; to sit again *To-morrow.*

Pharmacy Act (Ireland), 1875, Amendment Bill [*Lords*]—

Order for Committee read 1551

Committee *deferred* till *Thursday* next.

Chapels (Clonmacnoice) Bill [Bill 361]—

Order for Second Reading read 1551

Second Reading *deferred* till *To-morrow.*

Libel Law Amendment Bill—

Moved, "That the Lords' Amendments be considered on Monday" .. 1552

Motion *agreed to.*

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Railway and Canal Traffic Bill [*Lords*]—
Moved, "That the Lords' Amendments be considered on Tuesday" .. 1553
Motion *agreed to*:—Lords' Amendments to be considered upon *Tuesday* next, and to be *printed*. [Bill 366.]

MOTION.

ADJOURNMENT—ORDER OF BUSINESS—
Moved, "That this House do now adjourn,"—(*Mr. Jackson*) .. 1554
Question put, and *agreed to*. [1.50.]

COMMONS, SATURDAY, AUGUST 4.

QUESTIONS.

BANK OF ENGLAND—PAY OF BANK NOTE STAMPERS—Question, Sir George Campbell; Answer, The Secretary to the Treasury (Mr. Jackson) .. 1557
WAR OFFICE—COMMUTATION OF MILITARY AND NAVAL PENSIONS—Questions, Sir George Campbell; Answers, The Financial Secretary, War Department (Mr. Brodrick) 1557
BUSINESS OF THE HOUSE — SCOTCH BUSINESS — Questions, Sir George Campbell, Mr. Anderson; Answers, The Lord Advocate (Mr. J. H. A. Macdonald) 1558
EAST INDIA (HYDERABAD DECCAN MINING COMPANY)—THE REPORT—PREMATURE PUBLICATION—Statement, Sir Henry James; Questions, Sir George Campbell, Mr. T. D. Sullivan; Answers, The Secretary to the Treasury (Mr. Jackson) 1559
BUSINESS OF THE HOUSE—Question, Mr. Anderson; Answer, The Secretary to the Treasury (Mr. Jackson:)—Short Debate thereon .. 1561

ORDERS OF THE DAY.

SUPPLY—*considered* in Committee—ARMY ESTIMATES—
(In the Committee.)
(1.) £652,000, Transport and Remounts.—After short debate, Vote *agreed to* .. 1562
(2.) £2,509,000 (Provisions, Forage, &c.)—After short debate, Vote *agreed to* .. 1571
(3.) Motion made, and Question proposed, "That a sum, not exceeding £643,300, be granted to Her Majesty, to defray the Charge for the Superintending Establishment of, and Expenditure for, Engineer Works, Buildings, and Repairs, at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1889" 1578
After short debate, *Moved*, "That a sum, not exceeding £637,620, be granted for the said Service,"—(*Mr. Sexton*:)—After further short debate, Amendment, by leave, *withdrawn*.
Original Question put, and *agreed to*.
(4.) £1,343,900, Out-Pensions.
(5.) £720,700. Volunteer Corps.—After short debate, Vote *agreed to* .. 1587

NAVY ESTIMATES.
(6.) £4,863,500, Naval Armaments.—After debate, Vote *agreed to*.. .. 1589
(7.) £119,500, Medical Establishment and Services.—Vote *agreed to* .. 1619
(8.) £376,300, Works, Buildings, and Repairs, at Home and Abroad.
(9.) £55,000, Scientific Services.
(10.) £721,000, Reserved and Retired Pay.
(11.) £743,600, Naval Pensions and Allowances.

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SUPPLY—NAVY ESTIMATES—Committee—*continued.*

(12.) £168,500, Widows' Pensions and Compassionate Allowances.
(13.) £330,800, Civil Pensions and Gratuities.

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

SUPPLY—REPORT—Resolution [3rd August] *reported* 1619
Moved, "That this House doth agree with the Committee in the said Resolution: "—After debate, it being half after Five of the clock, the Debate stood adjourned:—Debate to be resumed upon *Monday* next.

WAYS AND MEANS—
Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. William Henry Smith*) 1634
After short debate, Question put, and *agreed to*:—*Considered* in Committee.

Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1889, the sum of £18,326,975 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported upon *Monday* next.

Lloyd's (Signal Stations) Bill [*Lords*] [Bill 343]—
Moved, "That the Bill be now read a second time,"—(*Sir Michael Hicks-Beach*) 1635
Question put, and *agreed to*:—Bill read a second time, and *committed* to a Select Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection.

Libel Law Amendment Bill—
Lords' Amendments to be considered upon *Thursday* next, and to be *printed*. [Bill 368.]

MOTION.

—o—

County Court Appeals (Ireland) Bill—*Ordered* (*Mr. T. M. Healy, Mr. Clancy, Mr. Chance, Mr. Maurice Healy*); *presented*, and read the first time [Bill 367] .. 1636
[5.45.]

LORDS, MONDAY, AUGUST 6.

PURCHASE OF LAND (IRELAND) ACT, 1885—Question, Observations, The Earl of Milltown; Reply, The Lord President of the Council (Viscount Cranbrook) 1636

Local Government (England and Wales) Bill (No. 238)—
Order of the Day for the House to be put into Committee, read .. 1638
Moved, "That the House do now resolve itself into Committee upon the said Bill,"—(*The Lord Balfour.*)
Motion *agreed to*;—House in Committee accordingly.
Amendments made; the Report thereof to be received on *Wednesday* next; and Bill to be *printed*, as amended. (No. 267.)

Marriages Validation Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 256.) 1681

Statute Law Revision (No. 2) Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª No. 258) 1681
[1.45 A.M.]

COMMONS, MONDAY, AUGUST 6. *Page*

QUESTIONS.

LAND LAW (IRELAND) ACT, 1881, SEC. 19—LABOURERS' DWELLINGS—Questions, Sir Charles Lewis, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Solicitor General for Ireland (Mr. Madden) .. 1681

SCIENCE AND ART DEPARTMENT (IRELAND)—THE BOTANIC GARDENS, GLASNEVIN—Questions, Dr. Tanner; Answers, The Secretary to the Treasury (Mr. Jackson) 1682

IRISH LAND COURT—CASES LISTED IN CO. ANTRIM—Questions, Mr. W. P. Sinclair, Mr. M'Cartan; Answers, The Solicitor General for Ireland (Mr. Madden) 1683

NORTH AMERICAN FISHERIES—THE ALASKAN WATERS—Question, Mr. Gourley; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1684

LAW AND POLICE—DRUNKEN SOLDIERS AND SAILORS IN RAILWAY CARRIAGES—Question, Mr. Johnston; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) 1684

INDIA—SIR LEPEL GRIFFIN—Questions, Mr. Bradlaugh; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) .. 1685

PUBLIC MEETINGS (IRELAND)—ORANGE DEMONSTRATION AT ENNISKILLEN—SERGEANT MAJOR HOUNSEL — Question, Mr. Carew; Answer, The Secretary of State for War (Mr. E. Stanhope) 1687

CRIMINAL LAW—CONFESSION OF A MURDER IN 1879 — Question, Mr. Milvain; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1687

INDIA—COOLIES—MORTALITY IN TEA GARDENS—Question, Mr. S. Smith; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1687

ISLANDS OF THE SOUTH PACIFIC—THE LOYALTY ISLANDS—EXPULSION OF THE REV. JOHN JONES—Question, Mr. Johnston; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) .. 1688

STATE OF IRELAND—BOYCOTTING—MURDER OF —— FORHAN—Questions, Mr. Byron Reed, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Solicitor General for Ireland (Mr. Madden) 1689

THE INQUEST AT MITCHELSTOWN ON MR. MANDEVILLE—Questions, Mr. Rowntree, The Lord Mayor of Dublin (Mr. Sexton), Sir Charles Lewis, Mr. Flynn; Answers, The Solicitor General for Ireland (Mr. Madden) 1690

CIVIL BILL ACT (IRELAND) — MEMORIAL OF OFFICERS — Question, Mr. Maurice Healy; Answer, The Solicitor General for Ireland (Mr. Madden) 1691

HIGH COURT OF JUSTICE (IRELAND)—NEW RULE—Questions, Mr. Maurice Healy; Answers, The Solicitor General for Ireland (Mr. Madden) .. 1692

WAR OFFICE (SMALL ARMS)—THE COMPOUND RUBINI CARTRIDGE—Question, Mr. D. A. Thomas; Answer, The Secretary of State for War (Mr. E. Stanhope) 1693

PATENTS—WAR OFFICE OFFICIALS—SIR FREDERICK ABEL—Question, Mr. D. A. Thomas; Answer, The Secretary of State for War (Mr. E. Stanhope) 1693

PRISONS (IRELAND)—DIETARY OF PRISONERS—REPORT OF THE ROYAL COMMISSION — Question, Mr. James Stuart; Answer, The Solicitor General for Ireland (Mr. Madden) 1694

POOR LAW (IRELAND)—DOWNPATRICK BOARD OF GUARDIANS—Questions, Mr. M'Cartan; Answers, The Solicitor General for Ireland (Mr. Madden) 1695

TURKEY (ASIATIC PROVINCES)—MRS. BARKER—THE COURT AT ALEPPO—Question, Mr. Munro Ferguson; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1696

WAR OFFICE—ROMAN CATHOLIC ARMY CHAPLAINS—Question, Mr. Nolan; Answer, The Secretary of State for War (Mr. E. Stanhope) .. 1697

SPAIN—COMPENSATION TO OWNERS OF THE "MARY MARK"—Question, Mr. W. F. Lawrence; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1697

PRISONS (IRELAND)—GALWAY PRISON—TREATMENT OF MR. BLUNT—Question, Mr. Macartney; Answer, The Solicitor General for Ireland (Mr. Madden) 1698

THE MAGISTRACY (IRELAND)—THE CORK POLICE COURT—Questions, Dr. Tanner; Answers, The Solicitor General for Ireland (Mr. Madden) .. 1698

THE PARKS (METROPOLIS)—BATTERSEA PARK—DISMISSAL OF EMPLOYES—Question, Mr. O. V. Morgan; Answer, Colonel Hughes .. 1700

METROPOLITAN BOARD OF WORKS—ISLE OF DOGS—RAIN FLOODS—Questions, Mr. Sydney Buxton; Answers, Colonel Hughes 1700

FRIENDLY SOCIETIES—COUNTY DOWN RAILWAY SERVANTS' PROVIDENT SOCIETY—Questions, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Secretary of State for the Home Department (Mr. Matthews), The Secretary to the Treasury (Mr. Jackson) .. 1701

LAND LAW (IRELAND)—THE LORD LIEUTENANT'S COUNTY DOWN TENANTRY—Question, Mr. M'Cartan; Answer, The Solicitor General for Ireland (Mr. Madden) 1702

LAW AND JUSTICE (IRELAND)—GRAND JURIES—Question, Mr. D. Sullivan; Answer, The Solicitor General for Ireland (Mr. Madden) .. 1704

RAILWAY ACCIDENTS—MIXED TRAINS—ACCIDENT ON THE HIGHLAND RAILWAY—Questions, Mr. Channing; Answers, The President of the Board of Trade (Sir Michael Hicks-Beach) 1705

BORNEO—BRITISH PROTECTORATE OVER NORTH BORNEO, SARAWAK, AND BRUNEI—Questions, Mr. F. S. Stevenson; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) .. 1706

PIERS AND HARBOURS (IRELAND)—NEWCASTLE PIER, CO. DOWN—Questions, Mr. M'Cartan, Colonel Waring; Answers, The Secretary to the Treasury (Mr. Jackson) 1706

LEASEHOLDS (IRELAND)—PECULIAR CONDITIONS OF LEASES IN CO. DOWN—"ATTORNEYS-AT-LAW"—Questions, Mr. M'Cartan; Answers, The Solicitor General for Ireland (Mr. Madden) 1707

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—THE EMIGRATION CLAUSES—Question, Dr. Tanner; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1708

PRISONS—DIETARY OF PRISONERS—ALLEGED COMPOSITION OF PRISON BREAD—Question, Mr. H. S. Wright; Answer, The Solicitor General for Ireland (Mr. Madden) 1708

PERU AND CHILI—THE PERUVIAN BONDHOLDERS—Questions, Mr. Labouchere; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1708

METROPOLITAN POLICE COURTS—ACCOMMODATION FOR PRISONERS—Question, Mr. Channing; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1710

WAR OFFICE—EDUCATIONAL ATTAINMENTS OF NON-COMMISSIONED OFFICERS—Question, Mr. Pickersgill; Answer, The Secretary of State for War (Mr. E. Stanhope) 1711

ROYAL IRISH CONSTABULARY—INCREASE OF THE FORCE AT DOOMBEG, CO. CLARE—Question, Mr. Jordan; Answer, The Solicitor General for Ireland (Mr. Madden) 1712

IRELAND—SUNDAY LABOUR IN BAKERIES—EVASION OF THE LAW—Question, Mr. Nolan; Answer, The Solicitor General for Ireland (Mr. Madden) 1713

PIERS AND HARBOURS (IRELAND) — ROSSLARE HARBOUR, WEXFORD — Questions, Mr. J. Barry; Answers, The Chancellor of the Exchequer (Mr. Goschen) 1713

VENEZUELA — DECLINE OF TRADE — Question, Mr. Watt; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1714

POOR LAW AND MEDICAL CHARITIES ACTS (IRELAND) — PENSIONS TO MEDICAL OFFICERS OF UNIONS, &c.—Question, Dr. Kenny; Answer, The Solicitor General for Ireland (Mr. Madden) 1715

LITERATURE, SCIENCE, AND ART (IRELAND) — PROFESSOR M'NAB'S LABORATORY AT GLASNEVIN, DUBLIN—Questions, Dr. Tanner; Answers, The Secretary to the Treasury (Mr. Jackson) 1716

NAVY—SCOTCH COAL—Question, Mr. Caldwell; Answer, Mr. Ashmead-Bartlett (Civil Lord of the Admiralty) 1716

STREET IMPROVEMENTS (METROPOLIS)—Question, Mr. James Stuart; Answer, The President of the Local Government Board (Mr. Ritchie) .. 1717

POST OFFICE—POST OFFICE TRAVELLING VANS—Question, Mr. Cavendish Bentinck; Answer, The Postmaster General (Mr. Raikes) .. 1718

THE MITCHELSTOWN RIOT (SEPTEMBER, 1887)—THE INQUEST—THE SHORTHAND WRITER'S REPORT—Questions, Mr. Rowntree; Answers, The Solicitor General for Ireland (Mr. Madden) 1718

LOCAL GOVERNMENT (IRELAND)—COLLECTION OF COUNTY CESS—Questions, Mr. Finucane, The Lord Mayor of Dublin (Mr. Sexton), Mr. Edward Harrington; Answers, The Solicitor General for Ireland (Mr. Madden) 1719

GOLD AND SILVER CURRENCY COMMISSION—THE REPORT—Questions, Mr. Summers, Mr. F. Hardcastle, Captain Cotton; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 1720

DEAN AND CHAPTER OF WESTMINSTER — STATUE OF THE LATE EARL OF SHAFTESBURY—Questions, Mr. Summers, Mr. Cavendish Bentinck, Mr. T. P. O'Connor; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 1720

RELEASE OF MR. DILLON AND OTHER MEMBERS OF PARLIAMENT—Question, Mr. Dillwyn; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1721

THE TITHE RENTCHARGE RECOVERY AND VARIATION BILL — THE CORN AVERAGES COMMITTEE—Question, Mr. H. Gardner; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1722

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL — MR. BUCKLE, OF THE "TIMES"—Question, Mr. Clancy; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1722

BUSINESS OF THE HOUSE — EMPLOYERS' LIABILITY FOR INJURIES TO WORKMEN BILL—Question, Mr. Broadhurst; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1723

GRANTS TO MEMBERS OF THE ROYAL FAMILY — THE SELECT COMMITTEE — Questions, Mr. E. Robertson, Mr. Summers; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 1723

PUBLIC BUSINESS — THE SMALL HOLDINGS COMMITTEE — Question, Sir George Campbell; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1724

PUBLIC BUSINESS—THE BURGH POLICE AND HEALTH (SCOTLAND) BILL—Questions, Sir George Campbell, Mr. Wallace; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 1724

BUSINESS OF THE HOUSE—Questions, Mr. Bryce, Sir Walter B. Barttelot, Mr. Osborne Morgan, Mr. Mundella; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 1725

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL — Questions, Sir Wilfrid Lawson, The Lord Mayor of Dublin (Mr. Sexton); Answers, The First Lord of the Treasury (Mr. W. H. Smith) .. 1726

MOTION.

Registration of Assurances (Ireland) Bill—

Motion for Leave (*Mr. Solicitor General for Ireland*) 1726

Motion *agreed to*:—Bill *ordered* (*Mr. Solicitor General for Ireland, Mr. Arthur Balfour*); *presented*, and read the first time [Bill 369.]

ORDERS OF THE DAY.

SUPPLY [3RD AUGUST]—REPORT—[ADJOURNED DEBATE]—

Order read, for resuming Adjourned Debate on Question [4th August:] —Question again proposed:—Debate *resumed* 1727

After debate, Question put, and *agreed to.*

SUPPLY—REPORT—Resolutions [4th August] *reported* 1805

Resolutions 1 to 5 *agreed to.*

Resolution 6.

After short debate, Resolution *agreed to.*

Resolution 7.

After short debate, Resolution *agreed to.*

Remaining Resolutions *agreed to.*

Consolidated Fund (No. 3) Bill—

Bill *considered* in Committee 1813

After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow.*

Metropolitan Board of Works (Money) Bill [Bill 354]—

Order for Second Reading read 1816

Second Reading *deferred* till *To-morrow.*

Merchant Shipping (Life Saving Appliances) Bill [*Lords*]—

Order for Consideration read 1816

After short debate, Bill, as amended, *considered*:—An Amendment made; Bill read the third time, and *passed.*

Waltham Abbey Gunpowder Factory Bill [Bill 273]—

Order for Second Reading read 1818

Second Reading *deferred* till *To-morrow.*

Local Bankruptcy (Ireland) Bill [*Lords*] [Bill 344]—

Order for Second Reading read 1818

After short debate, Second Reading *deferred* till *Thursday.*

Copyhold Acts Amendment Bill [*Lords*] [Bill 298]—

Moved, "That the Bill be now read a second time,"—(*Mr. Haldane*) .. 1819

Question put, and *agreed to*;—Bill read a second time, and *committed* for *Thursday.*

[*August* 6.] *Page*

Land Charges Registration and Searches Bill [*Lords*] [Bill 356]
Moved, "That the Bill be now read a second time,"—(*Mr. Haldane*) .. 1819
Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday*.

Chapels (Clonmacnoice) Bill [Bill 361]—
Order for Second Reading read 1820
Second Reading *deferred* till *To-morrow*.

WAYS AND MEANS—
Resolution [August 4] *reported*, and *agreed to*.
Ordered, That it be an Instruction to the Committee on the Consolidated Fund (No. 3) Bill, That they have power to make provision therein pursuant to the said Resolution.

MOTION.

EAST INDIA (REVENUE ACCOUNTS)—
Ordered, That the several Accounts and Papers which have been presented to the House in this Session of Parliament, relating to the Revenues of India, be referred to the consideration of a Committee of the whole House.
Resolved, That this House will, on Thursday, resolve itself into the said Committee.
[1.35.]

LORDS, TUESDAY, AUGUST 7.

THE NEW PUBLIC OFFICES—ADMIRALTY OFFICE—Question, Observations, The Earl of Wemyss; Reply, Lord Henniker 1821
STANDING ORDERS COMMITTEE—Postponement of Notice, The Lord Privy Seal (Earl Cadogan) 1821
PUBLIC BUSINESS—THE LOCAL GOVERNMENT BILL—Statement, Lord Balfour 1821
PRIVATE BILL LEGISLATION—THE STANDING ORDERS—Observations, The Chairman of Committees (The Duke of Buckingham and Chandos) .. 1822
Standing Orders *considered* and *amended*, and to be *printed*, as amended. (No. 260.)

Public Health (Scotland) Provisional Order (Kirkliston, Dalmeny, and South Queensferry Water) Bill (No. 177)—
Commons' Amendments *considered* (according to order) 1823
Moved, "That the House disagree to the Commons' Amendments,"—(*The Duke of Buckingham and Chandos*:)—Motion *agreed to*.
A Committee appointed to prepare a reason to be offered to the Commons for the Lords disagreeing to the said Amendments; the Committee to meet *forthwith*; Report from the Committee of the reason prepared by them; read, and *agreed to*; and a Message sent to the Commons to return the said Bill with the reason.

Marriages Validation Bill (No. 256)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1824
Motion *agreed to*:—Bill read 2ª accordingly; Committee *negatived*; then Standing Order No. XXXV. *considered* (according to order), and *dispensed with*; Bill read 3ª, and *passed*, and sent to the Commons.

SCOTLAND—THE ANTIQUARIAN MUSEUM AND NATIONAL PORTRAIT GALLERY—Question, The Earl of Rosebery; Answer, The Secretary for Scotland (The Marquess of Lothian) 1824

[*August 7.*] *Page*

LORDS OF PARLIAMENT—GRANTS TO PEERS, &c.—MOTION FOR A RETURN—

Moved, That there be laid before the House—

"Return showing the names of all present Lords of Parliament who are in receipt of public money from the National Exchequer, whether in the form of salary, pay, pension, or allowance of any kind, or who have received commutation in respect thereof under the Commutation Acts, with separate columns showing the amounts they receive or have commuted, with the amount of the commutation money, and the name of the office or nature of the service for which the money is or has been paid," —(*The Lord Monkswell*) 1825

Motion *agreed to.*

BUSINESS OF THE HOUSE—

Standing Order No. XXXV. to be considered on *Thursday* next in order to its being dispensed with during the present sittings of the House, —(*The Marquess of Salisbury.*)

[4.45.]

COMMONS, TUESDAY, AUGUST 7.

QUESTIONS.

THE NATIONAL LIBRARY FOR IRELAND—Question, Dr. Tanner; Answer, The Vice President of the Council (Sir William Hart Dyke) .. 1826

BANKRUPTCY OR DEBTORS ACTS — FAILURE OF MESSRS. GREENWAY, WARWICK—Questions, Mr. Cobb; Answers, The President of the Board of Trade (Sir Michael Hicks-Beach) 1826

COAL MINES, &c. REGULATION ACT, 1887—CLAUSE 12—Question, Mr. J. E. Ellis; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1827

WAR OFFICE—MANUFACTURE OF WOOLLEN FABRICS FOR THE ARMY AND NAVY—Question, Mr. Cunninghame Graham; Answer, The Secretary of State for War (Mr. E. Stanhope) 1828

CRIME AND OUTRAGE (IRELAND) — THE ROMAN CATHOLIC CHURCH AT DONARD, Co. WICKLOW—Question, Mr. Byrne; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1828

MARRIAGES (SCOTLAND) — EXACTION OF EXCESSIVE MARRIAGE FEES — Question, Mr. Philipps; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) 1829

INLAND REVENUE—INCOME TAX ACT — ROYAL UNIVERSITY OF IRELAND — Question, Dr. Tanner; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1829

WAR OFFICE—A RIFLE RANGE AT HARWICH HARBOUR—Question, Major Rasch; Answer, The Secretary of State for War (Mr. E. Stanhope) .. 1830

NATIONAL EDUCATION (IRELAND)—RELIGIOUS INSTRUCTION IN THE GOVERNMENT COLLEGE—Question, Mr. Biggar; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1830

LAND LAW (IRELAND) ACT, 1887 — PERSONS EVICTED AND REINSTATED — Questions, Mr. Mahony; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1831

LAW AND JUSTICE (IRELAND)—OATHS OF JURYMEN—Questions, The Lord Mayor of Dublin (Mr. Sexton), Mr. Johnston; Answers, The Solicitor General for Ireland (Mr. Madden) 1813

PUBLIC HEALTH—TUBERCULOSIS IN CHILDREN—DR. WOODHEAD'S LECTURE —Question, Mr. Esslemont; Answer, The President of the Local Government Board (Mr. Ritchie) 1832

THE FINANCIAL RESOLUTIONS—ALLOCATION OF £127,000 IN RELIEF OF LOCAL TAXATION (IRELAND)—Question, Mr. Finucane; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1833

POST OFFICE—CENTRAL TELEGRAPH CLERKS—THE BANK HOLIDAY, AUGUST 6—Question, Mr. M'Cartan; Answer, The Postmaster General (Mr. Raikes) 1834

IRISH LAND COMMISSION—SITTING IN LIMERICK—Questions, Mr. Finucane, Mr. M'Cartan; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1834

PRISONS BOARD (IRELAND)—DR. MOORHEAD AND VISITING JUSTICE OF TULLAMORE PRISON—Questions, Mr. Mac Neill, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1835

EAST INDIA (HYDERABAD-DECCAN MINING COMPANY)—THE REPORT—PREMATURE PUBLICATION—Question, Mr. Wootton Isaacson; Answer, The Secretary to the Treasury (Mr. Jackson) 1836

COURT OF CHANCERY—PAYMENTS BY CROSSED CHEQUES—Question, Sir John Simon; Answer, The Secretary to the Treasury (Mr. Jackson) 1837

PUBLIC PETITIONS — PETITIONS AGAINST SUNDAY CLOSING — ALLEGED FRAUDULENT SIGNATURES—Question, Sir Wilfrid Lawson; Answer, Sir Charles Forster 1837

METROPOLITAN POLICE—SUNDAY DUTY—Questions, Mr. O'Hanlon; Answers, The Secretary of State for the Home Department (Mr. Matthews) 1838

LAW AND POLICE (METROPOLIS)—LISSON GROVE—GANGS OF ROUGHS—Questions, Sir Julian Goldsmid; Answers, The Secretary of State for the Home Department (Mr. Matthews) 1838

METROPOLITAN POLICE—CASE OF JOHN HUNT—Question, Mr. Cunninghame Graham; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1839

METROPOLIS—STORM FLOODS AT PRIMROSE HILL—Question, Mr. Lawson; Answer, Sir Herbert Maxwell (A Lord of the Treasury) .. 1839

NAVY—THE NAVAL MANŒUVRES—THE ESCAPED CRUISERS—Questions, Mr. Campbell-Bannerman, Admiral Field, Mr. Caldwell, Sir Wilfrid Lawson; Answers, The First Lord of the Admiralty (Lord George Hamilton) 1839

LAW AND JUSTICE—CASE OF CATHERINE MORGAN—Questions, Mr. Pickersgill, Mr. T. P. O'Connor; Answers, The Secretary of State for the Home Department (Mr. Matthews) 1842

COAL MINES, &c. REGULATION ACT, 1887—SECTION 80—REFUSAL OF CERTIFICATE TO TITUS SPRUCE—Question, Captain Heathcote; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1843

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—THE BOUNDARY COMMISSIONERS—Question, Mr. H. Gardner; Answer, The President of the Local Government Board (Mr. Ritchie) 1843

LANDLORD AND TENANT (IRELAND)—MR. HUGH FERGUSON—Questions, Mr. M'Cartan; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1844

LAW AND JUSTICE (IRELAND)—IRREGULAR CONVICTION AT THE WICKLOW ASSIZES—Question, Mr. Byrne; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1845

WAR OFFICE—ANNUAL ACCOUNTS OF THE ORDNANCE FACTORIES—Question, Mr. James Stuart; Answer, The Financial Secretary, War Department (Mr. Brodrick) 1846

MARKETS AND FAIRS (WEIGHING OF CATTLE ACT, 1887)—Question, Mr. Jeffreys; Answer, The President of the Local Government Board (Mr. Ritchie) 1846

INLAND NAVIGATION AND DRAINAGE (IRELAND)—FLOODS ON THE LOWER BANN—Question, Mr. Lea; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour); Question, Mr. Johnston [No reply] .. 1847

EDUCATION DEPARTMENT (ART AND SCIENCE DEPARTMENT) — SCIENCE TEACHER FOR HOLYWELL GREEN, HALIFAX—Question, Mr. Bradlaugh; Answer, The Vice President of the Council (Sir William Hart Dyke) 1848

RAILWAYS (INDIA) — GREAT INDIAN PENINSULAR RAILWAY COMPANY—Question, Mr. Labouchere; Answer, The Under Secretary of State for India (Sir John Gorst) 1848

INDIA—THE QUEEN'S PROCLAMATION, 1858—EURASIANS AND EUROPEANS—Question, Mr. Labouchere; Answer, The Under Secretary of State for India (Sir John Gorst) 1849

LAW AND POLICE (IRELAND)—EDWARD O'REILLY, PETTY SESSIONS CLERK, BALLAGHADEREEN, CO. MAYO—Question, Mr. Crilly; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1849

SAVINGS BANKS AND GOVERNMENT ANNUITIES ACT, 1887—THE RULES AND REGULATIONS—Questions, Mr. Howell; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 1850

CORN AVERAGES—"OFFICIAL AVERAGE PRICE OF CORN"—Question, Mr. H. Gardner; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1851

DIVISIONAL MAGISTRATES (IRELAND)—PROPOSED BILL—Question, Mr. J. E. Ellis; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1851

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—TREATMENT OF PRISONERS—FATHER M'FADDEN—Questions, Mr. Arthur O'Connor; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 1851

BUSINESS OF THE HOUSE—Questions, Sir William Plowden, Sir William Harcourt, Mr. Campbell-Bannerman, Mr. Baumann, Mr. Henry H. Fowler; Answers, The First Lord of the Treasury (Mr. W. H. Smith), The President of the Local Government Board (Mr. Ritchie) 1852

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—RELEASE OF MR. LATCHFORD, J.P. — THE DEBATE OF AUGUST 6 — Question, The Lord Mayor of Dublin (Mr. Sexton); Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1853

MOTION.

—o—

SITTINGS OF THE HOUSE, EXEMPTION FROM THE STANDING ORDER—

Ordered, That the proceedings on the Members of Parliament (Charges and Allegations) Bill, if under consideration at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House,"—(*Mr. William Henry Smith.*)

ORDERS OF THE DAY.

—o—

Railway and Canal Traffic Bill—

Lords' Amendments amended, and *agreed to* 1856

Members of Parliament (Charges and Allegations) Bill—

Bill, as amended, *considered* 1856

After long debate, Further Proceedings *adjourned* till *To-morrow.*

Moveable Abodes Bill [Bill 200]—

Moved, "That the Bill be now read a second time,"—(*Mr. Burt*) .. 1945

Moved, "That the said Order be discharged,"—(*Mr. Burt:*)—Question put, and *agreed to:*—Order *discharged:*—Bill *withdrawn.*

ADJOURNMENT—

Moved, "That this House do now adjourn,"—(*Mr. Jackson*) .. 1945

After short debate, Motion, by leave, *withdrawn.*

[*August* 7.] *Page*

ARMY ESTIMATES [AUGUST 4]—CANADIAN REMOUNTS—Correction, The Financial Secretary, War Department (Mr. Brodrick) .. 1947

MOTION.

—o—

Municipal Funds (Ireland) Bill—*Ordered* (*Mr. Jackson, Mr. Arthur Balfour, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 371] .. 1948

[2.45.]

COMMONS.

—o—

NEW WRIT ISSUED.

MONDAY, AUGUST 6.

For *Liverpool* (*West Derby Division*), *v.* Lord Claud John Hamilton, Manor of Northstead.

NEW MEMBER SWORN.

FRIDAY, JULY 20.

Sligo (*South Sligo Division*)—Edmund Leamy, esquire.

HANSARD'S
PARLIAMENTARY DEBATES,

IN THE

THIRD SESSION OF THE *TWENTY-FOURTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

EIGHTH VOLUME OF SESSION 1888.

HOUSE OF LORDS,

Friday, 20th July, 1888.

MINUTES.] — PUBLIC BILLS — *Committee* — Land Charges Registration and Searches (221).

Report—Coroners (216-229); Solicitors (226).

Third Reading—Limited Partnerships (213); Archdeaconry of Cornwall (219); Lloyd's Signal Stations (220), and *passed*.

PROVISIONAL ORDER BILL — *Committee* — Commons Regulation (Therfield Heath) * (209-228).

THE CLYDE—POLLUTION OF LOCH GOIL AND LOCH LONG.

QUESTION. OBSERVATIONS.

THE DUKE OF ARGYLL said, that in rising to call the attention of the House to the Reports to the Secretary for Scotland on the pollution of the waters of Loch Goil and Loch Long, and to ask a Question of which he had given Notice, it was necessary to make a short statement in regard to it. The Question as it appeared on the Paper might seem to affect a particular locality alone, and though there was no doubt that it did in the first instance, yet it involved a question of the greatest importance all over the Kingdom—namely, the increasing pollution of the waters around our shores. As was well known, these lochs were arms of the sea, and upon their shores a number of villa residences had been erected. For several years it had been perceived by those who resorted to these villas that in these arms of the sea the water was getting less and less pure than formerly. Not so many years ago he remembered that the water in these lochs was as pure almost as the water of the Island of Arran; but those who went

there to bathe had found that the water was getting dirtier and less fit for bathing every year, and likewise that it was less conducive to health. Under these circumstances, a Memorial was presented to his noble Friend the Secretary of State for Scotland last year, who very properly nominated a Commission, consisting of Dr. Littlejohn, medical officer of the Board of Supervision of Scotland, and Mr. Fletcher, a naval expert, to inquire into the whole matter. The Report of that Inquiry had now been presented to Parliament, and it was a very remarkable document. If the water was kept pure there was no city in the world that would possess such remarkable facilities in the way of a health resort as the great City of Glasgow, which was growing enormously in wealth and population. The result of the Medical and Naval Report was entirely to confirm the complaints of the dwellers by the shores of the sea lochs. The Medical Commission reported that there were three sources of pollution of these waters. The first was the sewage of Glasgow; (2) the discharge into the Clyde of the refuse of chemical works; and (3) the dredging of the river. With regard to the first, he was perfectly aware that his noble Friend had no power; but in regard to this matter he would not trouble their Lordships with any details. That was a question that involved immense engineering operations which as yet had not been fully considered. He thought the time was coming, however, when the inhabitants of Glasgow would see that it was absolutely necessary to provide some such scheme as that applied to the sewage of London. Those of their Lordships who had not been down the Clyde at this period of the year had no idea of the horrible condition of the River Clyde. For some 10 miles below Glasgow the odour was overpowering, and was almost like navigating a sewer. He believed that the City of Glasgow had not taken any steps whatever for utilizing the sewage or discharging it into any more open sea. He would not dwell upon that, however, as he was aware it involved engineering works of enormous magnitude. But there were two other sources of pollution. One was the discharge into the Clyde of the refuse from the chemical works along its banks, and the other was the dredging of the river. With regard to the refuse from the chemical works, he believed his noble Friend with the aid of the Local Government Board had power to check this source of pollution, and he hoped that, so far as that source of the pollution was concerned, the remedy was already applied. The third source was one connected with some very curious statistics. Their Lordships were aware that our principal navigable rivers all round the country had been made navigable chiefly by the exertions of man. Originally very small streams, admitting only vessels of very small draught, by means of steam dredging they had been made great channels of commerce. The Clyde had been made a channel that ships of very large burden could ascend all the way to Glasgow. It would give some idea of the enormous magnitude of the operations if he told them that he was informed by an eminent engineer that in 40 years the dredging of the Clyde had resulted in the removal of 40,000,000 tons of material, which if piled up would make a pile 500 feet high, and a mile and a-half in circumference. These operations were carried out by a Trust called the Clyde Trustees, who were empowered by Act of Parliament to dredge the river. Up to the year 1862 the dredgings were applied to the soil by agreement with the various proprietors, being used on the marshy soil to raise the level of the neighbouring land, the result of which had been to produce some most valuable property. About the year 1862 the Clyde Trustees took it into their heads that this was a most expensive operation for them, and they, therefore, determined that, instead of applying the material to raising the neighbouring land, and destroying the marshes along the Clyde, they would pitch it all into the sea lochs, which were the resorts of the public for bathing. A friend of his at the time warned him that the result would be deleterious to the health of the neighbouring shores. He argued against this friend on the ground that the dredgings consisted of sand and gravel, and would sink to the bottom, and do no harm to anyone. His friend, however, was right. During the last 20 years 26,000,000 tons of dredgings had been thrown into these lochs for the purpose of filling up certain deep holes. It turned out, however, that, notwithstanding this enormous mass of material had been poured

in, there was no apparent filling up of the holes, and the result obviously was that all this deleterious stuff had been diffused over a wide surface, and had deposited itself along the shores, fouling and rendering them unfit for bathing purposes. This was clearly ascertained by the Report just presented. He simply wanted his noble Friend to stop this operation, and in his opinion it was in his power to do so; because, so far as he could read the Act under which the Clyde Trustees acted, they had no power whatever to pitch this material into the open sea to the detriment of their neighbours down the Clyde, though they were empowered to deposit the dredgings for the purpose of making embankments, and improving the river. He did not know whether the Executive Government had the right to suspend an Act of Parliament, and give these powers to the Clyde Trustees; but if the noble Lord was able, by the mere withdrawal of a permission, to put a stop to this depositing the dredging, the Trustees would have to dispose of it according to the Act of Parliament. He took a deep interest in the prosperity of the City of Glasgow; but it was clear that the Clyde Trustees could not be allowed to pollute these lochs to the detriment of thousands of people on the shores. Nothing could be stronger than the words of the Report as to the nuisance caused, and also as to the fact that the soundings in the lochs had not been materially altered. With regard to the burden that would be thrown on the City of Glasgow if this practice was stopped, if any difficulty was made on the part of the landed proprietors, there was an enormous amount of land left dry at low water upon which the material dredged up might be deposited. It was perfectly feasible and easy to dispose of it in this manner. Great injury was being done to the public, and serious damage was caused to those who lived on the shores in the neighbourhood by the present state of affairs. He trusted, therefore, that his noble Friend would take immediate steps to inquire into the legality of the present method adopted by Trustees, and, if possible, to put an end to it.

THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN) observed that the question raised by the noble Duke was one of very great importance, affecting, as it did, the whole rivers of the United Kingdom. He did not, however, think it necessary to go into the general question of river pollution, but would confine himself to the point of the River Clyde, because the enormous and rapidly increasing population on the banks of the Clyde made it a matter of the greatest importance that that river should be purified from its present insanitary state. The noble Duke had said that the City of Glasgow had never taken any steps whatever to improve the state of the Clyde; but his own impression was that in 1876 the City of Glasgow expended £11,000, upon the Report of Sir John Hawkshaw, for introducing a different system of drainage. The city introduced a Bill into Parliament in regard to it, and only withdrew it in consequence of the very strong opposition brought to bear against the scheme. That showed that the City of Glasgow had done something in the matter. Last year he had received strong representations upon the subject of the pollution of the Clyde from the inhabitants on the shores, and he had considered himself justified in directing that a Report should be drawn up. He had given directions to Mr. Fletcher and Dr. Littlejohn to inquire into the matter, and report to him; and he had also requested the Admiralty to give what assistance was in their power. The result of the Report had entirely justified the complaints made by the residents on the shores of the Clyde as to the insanitary condition of the river and the evil results of the dredging and the want of proper drainage. The noble Duke had said that there were three causes of the pollution. The Report specified six; but he thought the noble Duke had acted wisely in confining himself to the first three—namely, the sewage pollution, the refuse from alkali works, and the dredging. With regard to the first, he was afraid that his power did not go so far as to prevent the evil; with regard to the chemical pollution, he believed that new discoveries had shown that the waste which now polluted the lochs could be made use of, and might become a source of wealth. With regard to the dredging, he would make a point of inquiring by what authority this practice of getting rid of the results had been continued. He had always understood that the Clyde Trustees were

acting strictly within their legal rights in acting as they had done; but as the noble Duke had raised the question, he would seek the advice of the competent authorities upon the matter. He was firmly convinced of the necessity of making some change, in order to purify the Clyde, and he should not hesitate to take all the means in his power to that end.

IRELAND—POLICY OF THE GOVERNMENT.

RESOLUTION OF CONFIDENCE.

EARL BEAUCHAMP, in rising to move—

"That the names of the Lords present in the House on Thursday, the 12th of July, and assenting to the Resolution of Confidence in Her Majesty's Ministers passed *nemine contradicente*, be printed and circulated with the Minutes,"

said, their Lordships on Thursday last week had assembled in considerable numbers; the Cross Benches had been crowded, and the only part of the House not amply filled had been the Bench immediately behind those who had been formerly Ministers of the Crown. The noble Duke (the Duke of Argyll) had brought forward a Motion, to the effect that Her Majesty's Government deserved the support of Parliament in their conduct of affairs in Ireland, in a speech distinguished by the clearness of thought and beauty of language which always marked the oratory of the noble Duke. That Motion had been carried *nemine contradicente*, notwithstanding the fact that the speech had contained observations reflecting very severely upon many politicians in that House. It must be a great staisfaction to Her Majesty's Government to be assured by their Lordships that they unanimously approved the action of the Government; but in politics votes ought to be weighed as well as counted, and it was very desirable to know what had been the constituent elements of their Lordships' House upon that occasion. If there had been a Division a list would have been published, and they would have known the exact amount of support which Her Majesty's Ministers had received; but though no Division List would on this occasion show who were the Peers who extended their confidence to Ministers, it was the duty of some of the officials of the House to record the names of all Peers present, and therefore it was in their power to have the names reproduced of those who had been present when the Vote of Confidence was passed *nemine contradicente*. What he asked their Lordships to do was to order that the list of Peers attending on Thursday of last week should be printed and circulated with the Minutes. They would then have the means of knowing what were the elements in the House of Lords which gave their support to the Motion. He denied that the list of Peers present would not furnish an adequate test of the opinion of those who were present, because every Peer present was bound to make himself acquainted with the Business on the Paper, and those who were in the House in the early part of the proceedings and did not think it worth while to record their votes were not entitled to say that they did not concur in the Resolution. Some persons had perpetrated what were called "extra-Parliamentary utterances," and animadversions were made upon their conduct which none of their political allies were able or willing to justify, and in the present juncture of affairs it was right that the public should know how to estimate the significance of the remarkable vote which their Lordships arrived at on the Thursday of last week. It was for that reason that he moved the Resolution.

Moved, "That the names of the Lords present in the House on Thursday, the 12th of July, and assenting to the Resolution of Confidence in Her Majesty's Ministers passed *nemine contradicente*, be printed and circulated with the Minutes."—(*The Earl Beauchamp.*)

EARL GRANVILLE: My Lords, I am afraid that my noble Friend and Relative has found this Motion a little more troublesome than he anticipated; but I may state, with regard to myself, that I have not the least objection to have put on the Minutes and circulated that I was present and did not dissent when the Question was put on the Motion of my noble Friend the noble Duke. But apart from absolute want of precedent which the noble Earl acknowledged, there seems to be another practical difficulty. Your Lordships, no doubt, remember the reply which a certain French Minister made to an application of a great lady. He said—"If it be possible, the thing is done; if it be impossible, it shall be done." That was very gallant

of the French Minister, but it is not quite a principle upon which your Lordships can act; you cannot bind yourselves to do that which is impossible. In the original notice which the Noble Earl gave he spoke of a Motion on the Votes which passed on the 10th of July. I referred to the record of our proceedings on the 10th, and I found that we were principally occupied more or less seriously on that day with a Bill for the reform of the House of Lords, on the assurance of the Prime Minister that it might pass this Session, while, as I was informed, the Leader of the Government in "another place" had, by anticipation, abandoned the Bill. I did not find any Vote of Confidence on that point. I see, however, my noble Friend corrected that error. I have not the slightest objection to my name appearing on the Minutes as being present when the Question was put, and I should not object if it was also accompanied by a coloured plan pointing out the distribution of the forces in this House. But there is one excellent reason against this —it, unfortunately, cannot be done. The Clerks make a list of the *entrées* of Peers to the House, and of the Peers who take part in a Division; but they make no list of the Peers present when a Motion is put and carried without a Division, and I demur to the proposition of the noble Earl, that a Peer who enters the House assents to what is done in the House during the whole of that day. My noble Friend animadverted with considerable severity, but with the courtesy which he always exhibits, on the action or inaction of the Front Opposition Bench. But it appears from a letter which was published in *The Times* that my noble Friend the noble Duke was annoyed much more acutely, for he charged us with being in a conspiracy of silence which gave pain to all sincere and manly politicians. Well, now, I freely admit that a conspiracy to maintain silence, whether manly or unmanly, on any occasion is an offence of which my noble Friend is unlikely to be guilty. But we are by no means open to a charge of that kind. We are placed in some difficulty with regard to the line we should take. The noble Duke made a long, a very able, and a very carefully prepared speech. It was magnificently delivered, it was enlivened with illustrations both interesting and amusing, and it made unexpected reference to certain proper names. In my ignorance, until I heard the noble Duke, I had believed that the policy of Henry VIII. in Ireland was not absolutely beneficent. But there were no arguments which my noble Friend used which did not appear to us in the guise of very old friends indeed. My Colleagues and myself came down to the House intending to take part in the debate, and prepared to do so; but towards the end of the noble Duke's speech we came to the conclusion, rightly or wrongly, that that brilliant speech, so acceptable to those in this House who agreed with the speaker, was not likely to affect public opinion much, or to check that flow which again, rightly or wrongly, we believe is moving in favour of the views which we hold. We thought, in these circumstances, that it was desirable to wait. The noble Earl has defined the Motion made by the noble Duke as a Resolution of Confidence in Her Majesty's Ministers. There is nothing more usual than Votes of Confidence in an existing Government. We have all known several which have saved the existence of a Government for a longer or shorter period. They are sometimes directly or indirectly solicited by Government. Sometimes they are used as a balm in one House for a blow inflicted in another. Sometimes they are forced upon a Government determined to resign. But I do not recollect any Vote of Confidence in a Government except for a heavy blow inflicted, or with a view to one impending. It is not my business to prove that Her Majesty's Government were in no such difficulty last Thursday week. Possibly, considering the almost complete collapse of their legislation, the lesson which successive bye-elections have taught, or possibly from the present state of Ireland, it was so; but we are perfectly ignorant whether this Motion of the noble Duke's was a Vote of Confidence, whether it had been solicited by Her Majesty's Government desiring to have the shield of the noble Duke thrown over them, or whether he himself was acting with the advice of the leaders of the section of the Party to which he belongs, who thought that the Government were in such a miserable plight that they could not be saved except by his strong arm or still stronger tongue. The noble Duke care-

fully abstained from saying whether his Motion was one of Confidence or not. I do not remember his having said one single word in defence of the conduct of the Government and the mode in which they apply the repressive legislation passed last year for Ireland. But most certainly he did not base his arguments on approval of the conduct of the Government in Ireland. My Lords, I have always thought that my noble Friend the noble Duke is one of the most straightforward and crystal characters that I know; but it seems, after all, that there is a slight flavour of Machiavellianism in his disposition. My noble Friend having decided that the Government were in this miserable plight and required his help, he framed a Motion, but in doing so he constructed a cunningly designed trap for his old Colleagues to fall into. If we had said "Not-Content" to his Resolution, it would have enabled him to say that we were against protecting the liberties of the public; while, if we had said "Content," it would have enabled him to say that we approved the particular mode Her Majesty's Government had adopted for protecting the liberty of the public in Ireland. My Lords, I think these are circumstances in which we had a right to take the course we took. I cannot see that any harm was done to the noble Duke himself. He had the opportunity of delivering his speech, and he carried a perfectly harmless Resolution, to which, I can honestly and conscientiously say, whatever my views of the administration of Her Majesty's Government may be, I have not the slightest objection. If any noble Lord was suffering from the disagreeable complaint of speeches driven inwards, I can only express my very great regret and hope that he may speedily recover. But I do wish emphatically to repudiate the idea that I am an insincere and unmanly conspirator because I did not say "Not-Content" to a Motion which, if it does contain anything of Confidence, is a merely *quasi*-Vote of semi-Confidence in Her Majesty's Government of a perfectly innocuous character, and that I cannot do what I did on Thursday last without such an accusation being launched against me and my Friends, although I am more firmly convinced than I ever was that Her Majesty's Government are following a course which does not secure and is not calculated to succeed in securing the objects of this political truism.

EARL COWPER: I am glad, my Lords, that we have had some explanation of the extraordinary scene of the other night, although I cannot say that I think the explanation altogether satisfactory. It appears now that there was no conspiracy of silence on that occasion. I am glad, my Lords, that there was no conspiracy; but anything more like one I confess I never saw. I think, however, that if there had been a conspiracy, there might, from one point of view, have been some excuse, because the impression created in my mind by the Front Bench here is that people will very often do, when acting in a body, things which you would hardly expect them to do when acting individually. I think that for men to go about stumping the country and making strong and violent speeches, and then when challenged in their own places in this House not to get up and defend what they have said or to apologize for their mistakes, constitutes conduct which I am surprised to see, though possibly it might be accounted for by a general understanding arrived at beforehand. If the noble Duke had been an unknown man, a young Member of your Lordships' House, or even a well-known man not much thought of, I think it might have been a snub to him that his remarks called forth no attention; but being, as every candid man must admit, one of the greatest speakers of the day, and having been a Cabinet Minister longer almost than any man living, and holding a very high position before the country, it could not have that effect. But I think, my Lords, that it was rather a slur on this House, seeing that it seemed to convey the impression that it does not very much matter what the House of Lords says—the country does not care for it. It will give some Liberal newspapers an opportunity of pointing out the insignificance of the House of Lords, and for men holding so high a position in the House to assist in bringing it into discredit is eminently unsatisfactory.

THE DUKE OF ARGYLL: My Lords, I have only a very few words to say in answer to the somewhat extraordinary explanation of my noble Friend (Earl Granville). In so far as that speech

afforded any information, it was that my noble Friend could not vote against the Motion because it might be said that he was against protecting the liberties of the public. All I can say is that I should have been very glad if he had got up a week ago and said so; but his present course is to me wholly unintelligible. My noble Friend rather hinted that I was capable sometimes of Machiavellianism, and he also rather hinted that my Motion was brought forward at the suggestion of Her Majesty's Government. I can assure my noble Friend on my word of honour that the responsibility for the Motion rested entirely and absolutely with myself. I thought the time had come when this House should step forward out of the ordinary line of casual debate on this great subject, and take part with the House of Commons in passing a Resolution which should explain not only its support of the Government, but also the ground on which that support was given. I did make known my intention to a considerable number of my noble Friends who are in the same position as myself, that is to say, Members of this House who maintain, as we think, the true traditions of Liberal policy with regard to the union of the Three Kingdoms, and I received the assent of the noble Lords to whom I then appealed. That was the only step I took in the matter, and I can state with absolute certainty that there was no suggestion whatever with regard to this Motion which emanated from my noble Friends on the Front Bench opposite. Now, my Lords, my noble Friend spoke of this proceeding as having given some annoyance to myself. I can assure him I was not annoyed in the least—on the contrary, I felt it to be a very great triumph—I felt that my noble Friends could not answer the accusation I made. And my noble Friend has virtually admitted the fact. He said the object of speaking in this House was to influence opinion. In that I quite agree. There is no use in human speech except for the purpose of influencing public opinion, and all of us who speak in this House speak with the view of influencing public opinion. Then my noble Friend said he thought he would do no good to his side if he took part in the debate, and that therefore he thought it better to refrain from speaking; but the great part of my speech consisted of facts and not of arguments, and of quotations from my noble Friend himself and his Friends. My noble Friend referred to the letter I published in *The Times* the other day, and said it indicated annoyance on my part. I wrote that letter in answer to a letter from Sir George Trevelyan containing very great misrepresentations, and so far from showing annoyance, I expressed sympathy with his annoyance. He told the public he was standing at the Bar, and would have given £100 to answer that speech. Why did my noble Friends on that Bench desert him? It seems to me an extraordinary act of desertion. I should say it was a base act of desertion. It was certainly a great exhibition, I think, of moral and political cowardice. My noble Friend and some of his Colleagues have been talking lately of bringing in a Bill to reform this House. I hope they will bring in a Bill to reform Her Majesty's Opposition, and to give them a little backbone and a little more courage to state in the face of educated men what they state to the shilling galleries outside, where they know they cannot be contradicted, because most of those whom they address are not acquainted with the facts. I think the House has some reason to complain of the action of noble Lords. There was no discourtesy to me; but I think it was not a worthy course to take in either House of Parliament. That is the only thing I have to say on this matter. I am not conceited enough to suppose that I can influence public opinion more than other men, but facts do influence public opinion, and unless these facts can be contradicted they will influence it.

THE EARL OF ROSEBERY: My Lords, It will be the feeling of your Lordships that we are placed in a somewhat unprecedented position by the Motion of the noble Earl opposite. He moves that a record shall be printed and circulated of all the Peers present in this House on a day which was first fixed as Tuesday, the 10th, and was subsequently altered to Thursday, the 12th. For all intents and purposes, one day is just as good as the other. I should have been glad if the noble Lord had included in his Motion a list of the names of the brilliant assembly of Peeresses who were present in the Gallery, when the noble Duke delivered his speech, as I think that would have been more interesting than the list of Peers. The noble Earl supports his contention by this extra-

ordinary argument. He says that everybody who enters the House gives a blank cheque to the House of Lords as regards his political opinions for the remainder of that sitting, and that he is to be bound by any Resolution that is adopted and from which he does not in words dissent. I do not think that is an argument which can be seriously sustained, and I am sure that the noble Earl who has brought forward this Motion would be the last to support it. Then I come to the speech of my noble Friend behind me (Earl Cowper), who apparently was suffering from those symptoms which have been so vivaciously described by my noble Friend near me, and who has accused us of doing that collectively which we would not do individually. In using language of that kind the noble Earl was bound to establish his assertion. I have never considered it the duty of an individual to speak who has nothing particular to say. As far as I am concerned I can say most conscientiously that after listening to the speech of the noble Duke, I had nothing whatever to say. I come now to the speech of the noble Duke himself, which is, of course, the marrow of his whole discussion. The noble Duke occupies a somewhat exceptional position in this House. I do not dissent from the words of eulogy in which three noble Lords have to-night indulged with regard to the noble Duke, and when the Bill of the noble Marquess again comes before your Lordships, which is to deal with the exclusion of black sheep from this House, I shall be prepared to move an Amendment providing for the appointment of a Member of your Lordships' House as censor to deal with this matter. The name of the Member of this House most fitted for this Office will naturally occur to your Lordships. By appointing the noble Duke to that Office we shall have its functions exercised in an unsparing manner, and we shall also legitimatize those functions which he has long and innocently filled. The noble Duke never comes down to this House but to open an Assize. We do not always know who the culprit will be, but we know that he has the judgment in one pocket and the black cap in the other. We know that condemnation is pretty sure to be pronounced on some Member of your Lordships' House. The noble Duke has pursued this course for a considerable number of years. He began with the late Lord Derby, then he went on to the late Lord Beaconsfield, then came the turn of the noble Marquess opposite (the Marquess of Salisbury), when the noble Duke used to declare that it was absolute insanity to suppose that the Russians would ever occupy Merv. [A noble LORD: "Question!"] I am showing how it is that the Motion of the noble Duke did not receive all the attention it might otherwise have deserved. Of late years the noble Duke has reserved all his judicial eloquence [*Renewed cries of* "Question!"] for those whom he by some inexplicable mental process brings himself to call his "noble Friends." We may date this action of the noble Duke from the time when he left Mr. Gladstone's Administration. That is the Hegira from which his present action dates. From that period everything that we have done has been wrong; from the day we lost his guidance we have never been right. I may point out to the noble Lord who calls "Question" that these repeated rebukes have made us rather callous, and that if the lash had been wielded with a little more discrimination by the noble Duke his action the other evening might have had more effect upon our hardened consciences. As to the speech which the noble Duke delivered upon that occasion, we have heard it styled as powerful. I have no doubt that it was powerful, and its delivery was certainly powerful. The noble Duke says that speech consisted of facts. I am far from denying that. There were facts concerning Henry VIII., Ireland in the time of the introduction of Christianity, the annals of the Four Masters, certain doings of Garibaldi, and the character of Mr. Lacaita; but it was not until the last 10 minutes of his impassioned harangue that the noble Duke even remotely approached the subject of his Motion. In that speech the noble Duke did make a charge against Sir George Trevelyan, and said that Sir George Trevelyan had not always been courteous to the Irish Members. But that was not an issue on which to raise a great debate, and it has been since adequately dealt with by Sir George Trevelyan himself at a subsequent picnic. I do not see that we were bound to involve the House in a long debate for

the purpose of vindicating the courtesy of my right hon. Friend. It must also be remembered that we had had a discussion of this very question a week before, when the Lord Chief Justice of England animadverted on the taste of having such a debate at that time. Upon that occasion, however, the noble Duke delivered his mind, or part of his mind, and one of the late Lord Lieutenants of Ireland (Earl Spencer) had the opportunity of making a speech, which I read, and which I venture to think was one of the most dignified and masterly speeches ever made by him in this House. It does not, therefore, very clearly appear what was the object of the noble Duke's Motion. But there must have been some object. We know something of the inception of that Motion. We know that there was a meeting, limited in number but distinguished by opulence, at the private residence of the noble Earl (the Earl of Derby) in St. James's Square. We received the official account of that meeting, and at the end of that official account there came the remarkable announcement that the noble Duke had given Notice of this Motion. That meeting apparently entered into a conspiracy of silence, such as we are charged with. The announcement was received with gloomy taciturnity. Therefore the Motion was apparently not called for by that section which is termed Liberal Unionist. Was it called for by Her Majesty's Government? We are distinctly told that it was not. I did not need that assurance to be convinced of this. Why should the Government need the Resolution of the noble Duke? Had they intended to take part in the debate? Rumours reached me, from a source for which I have a great respect, that the Government intended to take no part in the debate, and that they had resolved to be mere spectators of the controversy between the different sections of the Liberal Party, looking on at the melancholy schism which devoured the Liberal Party. Let me ask what object the Government could have gained by this Motion? Did they need any assurance of confidence from this House? Did they need any counterblast to a Vote of Want of Confidence in the other House? Why, shortly before a Vote of Want of Confidence was negatived in the House of Commons by an enormous majority. Did they want to assure the country that they had the confidence of this House? I venture to say that no one on this Bench has ever denied that the Government possesses the almost unlimited confidence of this House. Therefore we have to seek for some other motive for the Motion? I venture to say that the motive stares us in the face. The noble Duke had a speech to deliver and he must deliver it; whether it dealt with Henry VIII. or the annals of the Four Masters, or whatever subjects, it must be got rid of. The practical object in fact would have been attained by a Motion in the ordinary form, "That the Lord Sundridge be now heard." The speech was delivered and the object was attained. We saw nothing in that speech to be answered, and we remained silent. The noble Lord taunts us with being ready enough to address "the shilling gallery." We do sometimes address public audiences. I believe this to be part of the modern system of politics, and I think I have even read speeches of the noble Marquess (the Marquess of Salisbury) delivered elsewhere than in the select atmosphere of this House. The noble Duke, however, I regret to say, is not much given to haranguing what he styles "the shilling gallery." If he did he might produce some effect upon his countrymen, instead of preaching in this House to the converted. From "the shilling gallery," too, he would not be likely to have to complain of that apathy in regard to his utterances which he now laments to find on this Bench. I am willing to stand by every word I have uttered on public platforms; and, if necessary, to repeat it in this House; but you would be setting up a rather alarming precedent if you were to preach that repetition was the only course to take. Is everybody who has made a speech in the country bound to deliver it over again in this House? Such a custom, I venture to say, would have even a greater effect in diminishing the attendance in this House than the revolutionary doctrine of the noble Earl opposite (Earl Beauchamp). But the question really in issue between us was never touched by the speech of the noble Duke. I believe that we had the same end in view with regard to the government of Ireland—for I am willing to give my opponents credit for generous motives; I believe that we both wish to secure the peace

and contentment of that unhappy country; I believe that we, on this side of the House are not one whit less anxious than the noble Duke and his Friends to establish the law and order of which he spoke. The difference between us is as to the means by which to secure that end. We believe that you are pursuing a path on which every omen is sinister, and against which all experience should warn you. We believe that the only safe, permanent, and high-minded way to secure the maintenance of law and order in Ireland is to rest it on the sympathy and co-operation of the Irish people.

LORD BRABOURNE said, that the greater part of the remarks of the noble Earl who had just sat down had, as usual, been spoken lightly and jestingly. The noble Earl had thought fit to make fun of everybody and everything. If the censor of whom the noble Earl had spoken were ever appointed he should expect the appointment of a jester also, and he should be very glad to subscribe towards the cap and bells with which the noble Earl should be invested in that capacity. The noble Duke whom the noble Earl had lectured was a man of far greater eminence and was held in much more respect than the noble Earl himself, and could afford to treat his gibes with contempt. The noble Earl had said that there was nothing in the noble Duke's speech which deserved answer. He took leave to tell the noble Earl that he was under a very great misapprehension if he thought that the unfounded assertions which his friends made throughout the country were not going to be contradicted. There were statements in the speech of the noble Duke which could not be contradicted, and those were the statements which the noble Earl tried in his airy manner to put aside as unimportant matters of ancient history. The noble Earl and those who sat near him were deeply responsible to the people of this country, and especially to the people of Ireland, for their perversions of history, and for the way in which, having possibly deceived themselves in the first instance, they were constantly deceiving and misleading the people. Anyone who read Mr. Gladstone's pamphlet in which he explained his conversion to Home Rule would find important statements which had been contradicted, and which, although untrue, had been again and again repeated, to the disgrace of speakers whom he would not name. Mr. Gladstone in his pamphlet talked about our having robbed Ireland of her old national Parliament when there never was a Parliament in the early years of the history of Ireland, except the Parliament of the English settlers. The so-called Irish Parliament, after many changes and vicissitudes, finally appeared in the shape in which it was popularly known as Grattan's Parliament, and in that shape it was a miserable travesty of representation, inasmuch as Catholics were excluded from the Parliament of a nation of which four-fifths of the people belonged to the Catholic Church. The noble Duke in his speech last week repeated some of these historical truths and showed the inconsistency and inaccuracy of certain of the speeches delivered in the country by noble Lords who sat in that House. At the silence of the noble Earl who had been Lord Lieutenant of Ireland (Earl Spencer) he was especially astonished, because he knew the noble Earl to be the soul of honour, a man who would never be inaccurate intentionally. He was much surprised, therefore, that the noble Earl did not emancipate himself last week from the thraldom under which he appeared to be, and reply to the charges of inconsistency and inaccuracy which had been made against him. They had heard that Sir George Trevelyan, the trusted Colleague of noble Lords on the front Opposition Bench, had said at one of those political picnics, at which the Members of the Opposition delivered their harangues, that he would have given £100 to answer the noble Duke. How, then, was it that not one of the six or seven trusted Colleagues of Sir George Trevelyan who heard the noble Duke's speech attempted to answer it? No pecuniary obligation would have been incurred by them, and yet not one of them rose in his place. There were different ways in which men met charges against their honour. The noble Earl (the Earl of Rosebery) was not addicted to caution or accuracy in his statements. On a recent occasion, he had spoken of him (Lord Brabourne) in a way in which he would not have dared to speak some years ago when the old mode of meeting unfounded charges still existed. He

cared but little, however, what the noble Earl said of him either in or out of that House. It was sufficient for him to know that the noble Earl's statements could be easily answered; and, when they were directed against himself, he treated them with cordial contempt. In his opinion, the speech of the noble Duke deserved to be answered, if only for the honour and reputation of the House. At present certain grave charges of inconsistency and inaccuracy had been made against the Leaders of a certain Party, and no answer had been given, except such as was contained in the gibes and jeers of the noble Earl who had just sat down. As to the Motion before the House, he thought that no Peer who was present yesterday week could complain of it. Every Peer who entered the House that day must have known what was the Business on the Paper, and Peers who did not think it worth while to oppose the Resolution of the noble Duke could have no ground of complaint if their names were taken down as joining in the passing of it *nemine contradicente*.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I almost dread to remain silent, lest I should be accused by the noble Earl opposite of having come down to the House merely to see the schisms of the Liberal Party devouring each other, although I confess I would go a very long distance to see a schism devouring anything. I am afraid, too, that the noble Earl at the head of the Opposition might think that I was suffering from the painful malady of suppressed speech if I were to remain silent. On the whole, therefore, it appears to me right that I should make one or two observations in this interesting conversation. I have listened to this debate with great attention, to try and ascertain what has exercised my mind ever since last week — namely, what was the real reason for which noble Lords then performed that remarkable feat of silence. I confess I could not easily come to any other conclusion than that it was due to one of those sudden changes of opinion for which noble Lords opposite are so celebrated. Though we did not know it, we had their entire assent to Mr. Balfour's policy, and that it had been germinating in their brains for some time —that we were the witnesses of the genesis of an idea, and that now they came forward with a great act of contrition and humiliation. I welcomed the Motion of my noble Friend because I thought it would give them an opportunity of lending emphasis to their display of patriotic feeling; but I understood from the noble Earl and from the noble Earl who has just sat down that it was really because they had nothing to say. Well, of course, the first remark that occurred to me was that they might have made the speeches then which they have made to-night. But, on hearing those speeches, I was not surprised that they preferred to take the other opportunity. I think they are quite justified in saying that they have nothing to say. Then the noble Earl who leads the Opposition went on to speak of the Motion as a truism and one in which he entirely concurred. He must have been recently studying casuistry; for it requires the strongest powers of non-natural interpretation to be able to extract from this Motion the sense which the noble Earl puts upon it. The Motion was—

> "That in the opinion of this House, Her Majesty's Government deserves the support of Parliament in securing for the subjects of the Queen in Ireland the full enjoyment of personal freedom in all their lawful transactions, and in protecting them from the coercion of unlawful combination."

Now, I understand the contention of the noble Earl to be that though we are deserving the support of Parliament in doing these things, yet, as a matter of fact, we did not do them. He thinks that we deserve the support of Parliament in securing the personal freedom of the subjects of the Queen in Ireland; but, as a matter of fact, that we do not secure personal freedom of the subjects of the Queen. We have heard from the noble Earl who has just sat down that this policy of ours, which was the subject of their unanimous approval on Thursday last, is beset with sinister omens, and that it really leads to all kinds of catastrophes and terrors. Well, then, it is very surprising that the noble Earl should be one of those who unanimously approved the Motion a week ago.

THE EARL OF ROSEBERY: I think I had better explain that which the noble

Marquess does not seem to see—namely, that we approve the object of protecting all peaceful persons; but we do not approve the means which the noble Marquess adopts.

THE MARQUESS OF SALISBURY: When you say you support a man in doing a thing you usually mean that he is doing it; but the noble Earl tells me that he has a special vocabulary and system of interpretation of his own. The only remark these proceedings call for is that they throw light upon the method of controversy which is pursued by those who lead Her Majesty's Opposition. The noble Earl told us that he thought silence was not likely to do his cause any harm. He prefers the speeches which have been made as to the flowing tide being in his favour. Now, if silence was the uniform policy of the Leaders of the Opposition I could understand his contention, but silence is not their uniform policy. Their uniform policy is not even confined to addressing the shilling galleries to which my noble Friend the noble Duke referred. They do not regard the advice of the noble Earl to address numerous and crowded audiences. On the contrary, the manner in which the controversy is now carried on by the noble Lords and by the right hon. Gentlemen of the Party opposite is that here, where they are capable of being answered, where their every argument can be dissected, where misrepresentations, if they are made, can be refuted, where mis-statements of history, if they are stated, can be exposed—here they observe the most absolute and careful silence. But outside this House there is no hole or corner in which we do not find a Leader of the Opposition making a speech. He gets behind Mr. Biggar and Dr. Tanner at a picnic in order to make a speech, or he is invited to a cheerful dinner given by Sir Wilfrid Lawson, and in the presence of eight or 10 guests, himself at one end of the table and a reporter at the other, he makes a speech, not only impugning the motives and attacking the characters of his opponents, but a speech replete with the most unfounded statements, replete with the most distorted law, full of attacks upon the judicial officers of the Crown, and reaching to that pitch of indecency that he did not shrink from commenting upon evidence that is now being given in a case before a Court of Law. These are the two opposite sides of the medal. These are the two opposite poles of the policy of Her Majesty's Opposition. Wherever they can be answered, wherever their statements can be exposed, there they cultivate silence; but wherever it is possible to insinuate unfounded aspersions upon their adversaries, without any immediate chance of an answer, there they shrink from no assertion and let pass no opportunity of a speech. We have had displayed before us a singular difference of temperament between the late Viceroy of Ireland (Earl Spencer) and the Chief Secretary who served under him (Sir George Trevelyan). While the late Chief Secretary for Ireland was at boiling temperature, the late Viceroy was at the opposite end of the thermometric scale. While the Chief Secretary for Ireland would have given £100 to be able to make a speech, the late Viceroy would have given twice as much to be secured from all chance of it. And yet the curious thing is, nothing had been said against the late Chief Secretary for Ireland which he really need have minded to hear, but imputations had been made against the late Viceroy which few men would have liked to pass with silence. Of course, I mean of a public character. I do not wish to import any insinuation of private acrimony into the debate, but as regards his public proceedings, as regards the consistency of his present conduct with the conduct he pursued in past times, as regards the compatibility of the reproaches which he has addressed to his opponents with the conduct which he himself pursued, I confess that when these things were set forth in clear, lucid, and powerful language by the noble Duke the other night, I did wonder that the noble Earl did not bound to his feet and repel an imputation as heavy as any ever cast on a public man.

THE EARL OF KIMBERLEY: My Lords, I do not desire to prolong this conversation, but as I am one of those who sit on this Bench, I suppose I am included in the censure which has been cast upon us. I will make this remark. I am not aware that I ever shrunk from advancing my views in this House. Only a week before the Motion I did not shrink from expressing my opinions. Possibly I am not much practised in

platform oratory, but whatever I say on a platform I am ready to say here. Does the noble Marquess suppose that any one of us ever shrinks from expressing our views that we think it one of the primary objects of any Government to secure the personal freedom of the subjects of the Queen, and to protect them from unlawful combinations? If we said "No" to such a proposal, we should put ourselves in the position of saying that the Government was not deserving the support of Parliament in doing what is the elementary duty of any Government whatever. The difference between us and my noble Friend behind me is very simple. If he had said that we approved the means by which the Government attained their ends, then we should have divided against the Motion. Those who know the course of the political history of the men to whom the noble Marquess refers, must know that they are just as ready as the noble Marquess to meet their opponents face to face, wherever they may be; but at the present day it has become the practice to make a large number of speeches out of Parliament. It may or may not be a convenient practice, but it has become a portion of our system of politics that does not apply to one side only; it occurs continually on the other side. It frequently happens that on such occasions the colouring is much higher than would be the case if political opponents were present. To that extent I agree there is a danger, but it is unavoidable in platform oratory. I agree with my noble Friend that no answer was necessary the other night. We have a right to our own judgment, and not to be guided by the judgment of others, and we shall always be ready to defend our Party in this House, without fear or favour, or any shrinking from expressing our opinions.

Motion amended, by leaving out ("and assenting to the,") and inserting ("on which day a").

Resolved, That the names of the Lords present in the House on Thursday, the 12th of July, on which day a resolution of confidence in Her Majesty's Ministers was passed *nemine contradicente*, be printed and circulated with the Minutes.

LIST OF LORDS PRESENT IN THE HOUSE OF LORDS ON THURSDAY THE 12TH OF JULY 1888, on which day a Resolution of Confidence in Her Majesty's Ministers was passed *nemine contradicente*.

Cambridge, D.
Canterbury, L. Archp.
Halsbury, L. (*L. Chancellor.*)
York, L. Archp.
Cadogan, E. (*L. Privy Seal.*)
Norfolk, D. (*E. Marshal.*)
Beaufort, D.
Bedford, D.
Buckingham and Chandos, D.
Cleveland, D.
Grafton, D.
Leeds, D.
Northumberland, D.
Portland, D.
St. Albans, D.

Abergavenny, M.
Bath, M.
Bristol, M.
Exeter, M.
Hertford, M.
Lansdowne, M.
Northampton, M.
Ripon, M.
Salisbury, M.

Mount-Edgcumbe, E. (*L. Steward.*)
Lathom, E. (*L. Chamberlain.*)
Amherst, E.
Ashburnham, E.
Aylesford, E.
Bathurst, E.
Beauchamp, E.
Bradford, E.
Brownlow, E.
Caledon, E.
Camperdown, E.
Carnarvon, E.
Clonmell, E.
Coventry, E.
Cowley, E.
Cowper, E.
Dartmouth, E.
De La Warr, E.
de Montalt, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Dundonald, E.
Ellesmere, E.
Essex, E.
Ferrers, E.
Feversham, E.
Fife, E.
Fortescue, E.
Granville, E.
Harewood, E.
Harrowby, E.
Howe, E.
Ilchester, E.
Innes, E. (*D. Roxburghe.*)
Jersey, E.
Kilmorey, E.
Kimberley, E.
Kingston, E.
Lanesborough, E.
Lindsay, E.
Lindsey, E.
Lovelace, E.
Lucan, E.
Macclesfield, E.
Manvers, E.
Milltown, E.
Minto, E.
Morley, E.
Northbrook, E.
Northesk, E.
Onslow, E.
Orkney, E.
Pembroke and Montgomery, E.
Portsmouth, E.
Powis, E.
Ravensworth, E.
Romney, E.
Rosse, E.
Rosslyn, E.
Russell, E.
Saint Germans, E.
Scarborough, E.
Selborne, E.
Spencer, E.
Stanhope, E.
Stradbroke, E.
Strafford, E.
Strange, E. (*D. Athole.*)
Sydney, E.
Waldegrave, E.
Yarborough, E.
Zetland, E.

Clancarty, V. (*E. Clancarty.*)
Cross, V.
Gordon, V. (*E. Aberdeen.*)
Gough, V.
Halifax, V.
Hampden, V.
Hardinge, V.
Hood, V.
Hutchinson, V. (*E. Donoughmore.*)
Leinster, V. (*D. Leinster.*)
Oxenbridge, V.
Powerscourt, V.
Torrington, V.

Carlisle, L. Bp.
Durham, L. Bp.
Gloucester and Bristol, L. Bp.
Hereford, L. Bp.
Lichfield, L. Bp.
Rochester, L. Bp.

Aberdare, L.
Abinger, L.
Addington, L.
Alcester, L.
Armstrong, L.
Arundell of Wardour, L.
Ashbourne, L.
Ashford, L. (*V. Bury.*)
Aveland, L.
Bagot, L.
Balfour, L.
Basing, L.
Bateman, L.
Blantyre, L.
Botreaux, L. (*E. Loudoun.*)
Bowes, L. (*E. Strathmore and Kinghorn.*)
Boyle, L. (*E. Cork and Orrery.*)
Brabourne, L.
Bramwell, L.
Brancepeth, L. (*V. Boyne.*)
Brassey, L.
Brodrick, L. (*V. Midleton.*)
Brougham and Vaux, L.
Carysfort, L. (*E. Carysfort.*)
Chaworth, L. (*E. Meath.*)
Chelmsford, L.
Cheylesmore, L.
Churchill, L.
Clanbrassill, L. (*E. Roden.*)
Clanwilliam, L. (*E. Clanwilliam.*)
Clements, L. (*E. Leitrim.*)
Clifford of Chudleigh, L.
Clifton, L. (*E. Darnley.*)
Clinton, L.
Clonbrock, L.
Cloncurry, L.
Colchester, L.
Coleridge, L.
Colville of Culross, L.
Congleton, L.
Crewe, L.
De Mauley, L.
De Ramsey, L.
de Ros, L.
de Vesci, L. (*V. de Vesci.*)
Digby, L.
Donington, L.
Dorchester, L.
Douglas, L. (*E. Home.*)
Egerton, L.
Ellenborough, L.
Elphinstone, L.
Esher, L.
FitzGerald, L.
Forbes, L.
Foxford, L. (*E. Limerick.*)
Gage, L. (*V. Gage.*)
Grantley, L.
Greville, L.
Grey de Ruthyn, L.
Grimthorpe, L.
Hamilton of Dalzell, L.
Hare, L. (*E. Listowel.*)
Harlech, L.
Harris, L.
Hartismere, L. (*L. Henniker.*)
Herries, L.
Herschell, L.
Hillingdon, L.
Hindlip, L.
Hobhouse, L.
Hopetoun, L. (*E. Hopetoun.*)
Hothfield, L.
Houghton, L.
Hylton, L.
Inchiquin, L.
Keane, L.
Kenlis, L. (*M. Headfort.*)
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Kensington, L.
Kintore, L. (*E. Kintore.*)
Knutsford, L.
Lamington, L.
Langford, L.
Lawrence, L.
Leconfield, L.
Leigh, L.
Lingen, L.
Lovel and Holland, L. (*E. Egmont.*)
Lurgan, L.
Lyveden, L.
Macnaghten, L.
Magheramorne, L.
Manners, L.
Meredyth, L. (*L. Athlumney.*)
Methuen, L.
Monckton, L. (*V. Galway.*)
Monkswell, L.
Montagu of Beaulieu, L.
Moore, L. (*M. Drogheda.*)
Mostyn, L.
Mount-Temple, L.
Napier, L.
North, L.
Northbourne, L.
Northington, L. (*L. Henley.*)
Norton, L.
O'Neill, L.
Oranmore and Browne, L.
Plunket, L.
Poltimore, L.
Ponsonby, L. (*E. Bessborough.*)
Revelstoke, L.
Romilly, L.
Rosebery, L. (*E. Rosebery.*)
Ross, L. (*E. Glasgow.*)
Rossmore, L.
Rothschild, L.
Rowton, L.
St. Levan, L.
St. Oswald, L.
Sandhurst, L
Saye and Sele, L.
Sefton, L. (*E. Sefton.*)
Sherborne, L.
Shute, L. (*V. Barrington.*)
Sinclair, L.
Somerhill, L. (*M. Clanricarde.*)
Somerton, L. (*E. Normanton.*)
Stalbridge, L.
Stewart of Garlies, L. (*E. Galloway.*)
Stratheden and Campbell, L.
Sudeley, L.
Sudley, L. (*E. Arran.*)
Suffeld, L.
Sundridge, L. (*D. Argyll.*)
Templemore, L.
Thring, L.
Thurlow, L.
Tollemache, L.
Trevor, L.
Tweedmouth, L.
Tyrone L. (*M. Waterford.*)
Vernon, L.
Walsingham, L.
Wantage, L.
Watson, L.
Wenlock, L.
Wigan, L. (*E. Crawford.*)
Windsor, L.
Winmarleigh, L.
Wrottesley, L.
Wynford, L.
Zouche of Haryngworth, L.

EDUCATION DEPARTMENT — WEST LAVINGTON AND HORSHAM ENDOWED SCHOOLS—QUESTION.

LORD COLCHESTER asked the Lord President of the Council, Whether the Education Department are of opinion that any question remains to be determined as to the obligations of the Mercers' Company towards the school endowments of West Lavington and Horsham; whether any scheme under the Endowed School Acts is in progress with reference to Dauntsay's School at West Lavington; and whether any such scheme has been submitted to the Education Department relative to the Horsham Grammar School?

THE LORD PRESIDENT (Viscount CRANBROOK), in reply, said, that the original scheme with regard to West Lavington had been abandoned, but the Mercers' Company had behaved with great liberality in the matter, and it was hoped that a satisfactory scheme would soon be carried out. With regard to Horsham Grammar School, a Report had been presented to the Education Department. He did not know whether it had reference to the Mercers' Company, but, at all events, no conclusion had yet been come to, but it was under consideration.

House adjourned at half past Six o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 20th July, 1888.

MINUTES.]—NEW MEMBER SWORN—Edmund Leamy, esquire, *for* Sligo (South Sligo Division).

SELECT COMMITTEE — Friendly Societies, Mr. Herbert Gladstone and Mr. Hubbard *added*.

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES; CLASS II.—SALARIES AND EXPENSES OF CIVIL DEPARTMENTS, Vote 10.

PUBLIC BILLS—*First Reading*—High Courts in India * [339].

Withdrawn—Winchester Burgesses Disqualification Removal * [168]; Agricultural Labourers' Holidays (Scotland) [21]; Parliamentary Franchise (Extension to Women) [11].

QUESTIONS.

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WAR OFFICE—RECRUITING—"ARMY SERVICE" ADVERTISEMENTS.

MAJOR RASCH (Essex, S.E.) asked the Secretary of State for War, Whether the advertisement headed "Army Service" has been instrumental in obtaining recruits; and, whether there is any intention to discontinue its insertion in the Provincial Press?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The advertisement was discontinued from July 1. It is difficult to estimate what effect it had; but it was, without doubt, useful when the recruiting agencies were not fully developed. Now, it is not thought necessary to spend so much in advertising; and the present time, when the Army establishments are ful and recruits plentiful, affords a good opportunity of testing the effect of discontinuing the advertisement.

ADMIRALTY—ORDNANCE STORES FOR THE FLEET.

LORD CHARLES BERESFORD (Marylebone, E.) asked the First Lord of the Admiralty, Whether all the details of the naval ordnance stores issued to the Fleet during the recent preparation for manœuvres were complete in all details; and, if not, to what extent they were short of establishment, giving the quantity and description of ordnance store deficient?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The ordnance stores supplied to the Fleet were complete in all important particulars, with the exception of the ammunition for the small quick-firing guns, of which there is a considerable deficiency, which, however, is being rapidly made good.

COAL MINES, &c. REGULATION ACT, 1887, SEC. 80—REFUSAL OF CERTIFICATES.

CAPTAIN HEATHCOTE (Staffordshire, N.W.) asked the Secretary of State for the Home Department, Whether he can state on what grounds Mr. James Hughes and Mr. Thomas Parker, whose certificates of fitness have been sent to the Home Office, have had their second class certificates under Section

80 of the Coal Mines, &c. Regulation Act refused?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The Inspector has reported that the functions discharged by these men were not functions substantially corresponding to those of an under manager; but the information which has reached me in support of the men's application has led me to make further inquiry, the result of which will be communicated to my hon. Friend.

LAW AND JUSTICE (SCOTLAND)—THE AIRDRIE SHERIFF COURT.

DR. CAMERON (Glasgow, College) asked the Lord Advocate, Whether his attention has been called to the report in *The Coatbridge Express* of the 27th ultimo of an action for slander tried at the Airdrie Sheriff Court before Sheriff Mair on the 25th; whether Sheriff Mair is correctly reported to have asked three successive witnesses, who swore that they had seen pursuer the worse for drink, whether they were teetotallers; and on their replying in the affirmative to have said to the first "Go away, I don't believe you;" to the second "You may go now, because I don't believe you;" and to the third "You may go away;" and, whether, considering the public stigma thus cast upon the sworn testimony of total abstainers by the Airdrie Bench, he proposes to take any action in the matter?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The case referred to was one at the instance of an Inspector of Police and a constable against whom a clergyman had made in a newspaper an accusation of drunkenness in commenting on an hotel licence case, in which the officer's evidence had influenced the Bench on the question of granting the licence. An apology was tendered and accepted in the case of the Inspector. The constable's case went to trial. The Sheriff did state, in regard to the evidence of two witnesses, that he did not believe them; but this was not on their stating that they were abstainers, but because their evidence was contradictory, and their demeanour in giving it unsatisfactory, and that, as regards its main statements, it was contradicted by the unimpeachable evidence of several respectable people. The Sheriff did not cast any stigma upon the evidence of teetotallers. On the contrary, in giving judgment, he stated that, in ordinary cases, a teetotaller's evidence was most reliable. But he did say that in questions relating to intoxicating drinks and their effect, teetotallers were apt to take extreme views and form mistaken conclusions. I may add that the constable who was alleged to have been repeatedly intoxicated has a very high character, having been 15 years in the Force, during which period no charge or report has ever been made against him at any time until the letter was published of which he complained. I may add, also, that I think it extremely unlikely that my friend the Sheriff, whom I know very well, would have said anything against teetotallers, because he happens to be one himself.

ROYAL IRISH CONSTABULARY—ORANGE FLAG AT THE BARRACK, OBINS STREET, PORTADOWN.

MR. TUITE (Westmeath, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether an Orange flag was exhibited from one of the windows of the Constabulary barrack in Obins Street, Portdadown, on the morning of the 12th instant, during the Orange celebrations in that town; and, if so, will the Inspector General of Constabulary take any action in the matter?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, that the District Inspector of Constabulary reported that the allegations contained in the Question of the hon. Member were devoid of foundation.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask whether the whole town did not see the flag out of the window; and, whether the right hon. Gentleman will make further inquiries into the matter?

MR. A. J. BALFOUR: If the right hon. Gentleman will lay the facts before me on which he relies, I will consider them.

CRIMINAL LAW—EXECUTION AT OXFORD.

MR. KENYON (Denbigh, &c.) asked the Secretary of State for the Home Department, Whether his attention has been called to the accounts in the public journals of the recent execution at Oxford, and to the evidence of Berry, the hangman, before the Coroner, that

under the present system of executions revolting accidents are occasionally unavoidable; and, whether, in the interests of public decency, he will introduce some measure to regulate the methods and procedure of executions?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; my attention has been called to this matter, which has been fully inquired into. Whatever method be adopted of inflicting capital punishment by hanging there is a liability to accidents. Upon the whole, the accidents that may occur in the system followed at Oxford are less objectionable and revolting than those to which a system involving a shorter drop is liable. I should be unable to suggest a measure which would make these deplorable accidents impossible. I am glad to state that they are not frequent.

WAR OFFICE—COMPULSORY RETIREMENT OF COMMANDING OFFICERS.

GENERAL FRASER (Lambeth, N.) asked the Secretary of State for War, If it is the intention of the Government shortly to alter the present Rules with regard to the compulsory retirement of commanding officers of regiments, so that the regimental command shall be retained for at least four years; and, if so, whether the existing Rules, by which experienced and meritorious commanding officers are now about to be removed at the end of two years, entailing results detrimental to the Service, and a very heavy cost upon the country, might be suspended?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Under the existing Royal Warrant every lieutenant-colonel appointed as such to a regiment from the 1st of January, 1887, is, subject to age, appointed for four years certain. I explained last year, in answer to my right hon. Friend the Member for Great Grimsby (Mr. Heneage), the reasons why, in justice to officers of lower rank, the tenure of officers who were already lieutenant-colonels on the date named could not be extended. I may, however, add that in special cases clearly for the good of the Public Service the command of a lieutenant-colonel can be extended for a period not exceeding two years.

EDUCATION DEPARTMENT—ENGLISH UNIVERSITY COLLEGES.

SIR JOHN LUBBOCK (London University) asked the Vice President of the Committee of Council on Education, Whether he can yet state the intentions of the Government as to giving any assistance to the English University Colleges?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford): The Government are prepared to give some assistance to the English University Colleges; but the mode and principles of distribution raise very difficult questions, which must necessarily take some time to arrange. No arrangement has been made for a grant in connection with this year's Estimate.

SUPPLY—ARMY VOTES—NEWSPAPERS.

MR. ARTHUR O'CONNOR (Donegal, E.) asked the Secretary of State for War, What is the amount paid out of Army Votes (other than the Medical Vote) for newspapers; what number of newspapers are filed for official purposes, and what proportion of those paid for are treated as the personal property of officials; what are the three chief newspapers so paid for, and what is the amount paid for each; and, if he will give analogous details as to the intended expenditure in the present financial year?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The sum last year in War Office contingencies for newspapers was £257 15*s.* 3*d.* and besides this there would be many items for newspapers at out-stations in other Votes. The expenditure for the present year is not likely to be materially different. Speaking generally, all newspapers are taken for official purposes; and though space does not allow of many sets being filed, extracts are retained which affect particular branches of work. The newspapers of which most copies are taken are *The Times*, *Daily News*, *Standard*, and *Morning Post*. Those newspapers which are not required for filing, or are not otherwise wanted, become mere waste paper, and the officials for whose use they are taken are at liberty to retain them if they please.

MR. ARTHUR O'CONNOR asked whether the right hon. Gentleman had any objection to state what were the three chief newspapers so paid for, and what was the amount paid for each?

MR. E. STANHOPE: The principal papers are the London morning papers and the military papers. I will show a list of them to the hon. Member privately.

In reply to a further Question by Mr. ARTHUR O'CONNOR,

MR. E. STANHOPE said, there was no public or official or personal reason why this information should be withdrawn from the House of Commons.

MR. ARTHUR O'CONNOR gave Notice that he would move for a Return.

POST OFFICE—BERMUDA, HALIFAX, &c.—TELEGRAPHIC CABLE.

SIR EDWARD WATKIN (Hythe) asked the Postmaster General, What further progress has been made in the matter of connecting Bermuda with Halifax, Nova Scotia, by telegraphic cable?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University), in reply, said, he was afraid he could give no further answer than that the question was still under the consideration of the Treasury.

WAR OFFICE (CONTRACTS)—THE NEW VALISE EQUIPMENT.

MR. HANBURY (Preston) asked the Secretary of State for War, Whether tenders for a large number of sets of new valise equipments were recently invited; whether the invitations to tender were withdrawn, and the contract given to the inventor, Colonel Slade; whether the execution of such contract was by him handed over to Messrs. Ross and Co., who had been struck off the list of Army contractors; whether a portion of this new valise equipment consisted of French canvas, for which Messrs. Ross have the sole or principal agency in this country, and whether it was now for the first time used in the valise equipment; and, if so, whether it is usual to give contracts to middlemen instead of manufacturers, and to allow the middlemen to transfer their execution to contractors who have themselves been struck off the list; and, whether it is intended to introduce further into the equipment of the Army an article the supply of which in England is solely in the hands of such contractors, and which in any case must be procured from abroad, and might not be procureable in time of war?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Tenders were recently issued for 1,000 sets of the new valise equipment, which are practically for experimental trial. The tenders were, however, withdrawn, because patterns were not available; and, in the meantime, a request by the inventor and patentee to be permitted to make these sets was granted. Colonel Slade has been told that Messrs. Ross cannot be allowed to have any share in this contract, nor can they be recognized as his agents. In this equipment a small pouch to contain a spare magazine is made of French canvas; but that material is not essential to the manufacture of these pouches. I am afraid that, in many cases, it cannot be avoided that patentees should act as middlemen.

WAR OFFICE—ARMY CLOTHING AND ACCOUTREMENTS — WAIST BELTS AND GAITERS.

MR. HANBURY (Preston) asked the Secretary of State for War, Whether he has now received information as to the recent manufacture of about 30,000 waist belts and 7,000 pairs of gaiters for the British Army by French soldiers undergoing sentence in a French military prison; and, up to what date did this employment of foreign penal labour at low rates, upon the clothing and accoutrements of the British Army, continue?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Since the hon. Member asked me a Question on this subject I have received a statement from the contractors, whose good faith I have no reason to doubt, that in 1885 and 1886, when there was very great pressure on the English trade, they had the sewing of certain articles done in a military fort where French soldiers were detained for offences against military discipline, to the extent of about 4 per cent of an order which they held for accoutrements; but that they have not employed this source of supply for any work they have started for Government during the last two

years. As regards gaiters, they made some at the fort for a private firm; and the contractors believe that a portion of them were afterwards submitted by that firm to the Clothing Department. I think the hon. Member will, therefore, see that there is some exaggeration in the Question. But I have no wish to encourage this supply of goods from foreign sources; and I have given directions for a modification to be made in the form of future contracts, which will, I hope, prevent its recurrence.

MR. HANBURY: As the right hon. Gentleman mentioned exaggeration, can he deny that these are the correct figures?

MR. E. STANHOPE said, that 4 per cent was very different to 30,000.

MR. HANBURY: I got the figures from the contractors themselves.

VENEZUELA — REPORTED REVOLUTION.

MR. WALLACE (Edinburgh, E.) (for Mr. WATT) (Glasgow, Camlachie) asked the Under Secretary of State for Foreign Affairs, Whether the Government have received any official information with reference to a Revolution which is reported to have broken out in Venezuela; and, whether, diplomatic relations being suspended, Her Majesty's Government have given any instructions with reference to the protection of the lives and property of British subjects in that country?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): News has reached Her Majesty's Government of a revolutionary outbreak in the Province of Guarico, connected with the election of the new President of Venezuela. British interests in that country are at present under the protection of the German Representative.

POST OFFICE SAVINGS BANK—INTEREST TO DEPOSITORS.

MR. WHITLEY (Liverpool, Everton) asked Mr. Chancellor of the Exchequer, Whether the rate of interest allowed to depositors in the Post Office Savings Bank will be reduced to £2 5*s.* per cent per annum on December 31 next; and, if not, what reduction in the rate is contemplated?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square), in reply, said, it was not proposed to reduce the rate to £2 5*s.* on December 31. No such reduction could be made without further legislation; but some step in the direction indicated by the hon. Member could not be long delayed.

PAROCHIAL BOARDS (SCOTLAND) — ELECTIONS.

MR. A. SUTHERLAND (Sutherland asked the Lord Advocate, Whether ratepayers in Scotland who are in arrear of poor rate at the time of the election of a Parochial Board are entitled to vote for candidates at such election, or to sit at such Board if elected; whether Evan Sutherland, esquire, of Skibo, in the County of Sutherland, being in arrear of his poor rate at the time of the election of the present Parochial Board of Creich, in the said County of Sutherland, now sits as a member of that Board, and has been elected its Chairman in the face of the protest of several members; and, whether, in these circumstances, his election is valid?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): This is a purely legal Question; and, in reply, I beg to refer the hon. Member to Sections 22, 23, and 24 of the Poor Law Act of 1845, which deals with the qualifications of members of Parochial Boards and electors. I beg also to refer him to Section 27, which provides a means of testing the validity of any disputed election. Mr. Sutherland is, I have no doubt, a member of the Parochial Board, in virtue of his qualification as an owner under Section 22, and is not an elected member. The electing of a Chairman is left entirely to the Board by Section 31 of the said Act.

MR. ANDERSON (Elgin and Nairn) asked, whether it was not the duty of the Law Officers of the Crown to answer legal Questions put to them across the Table of the House?

MR. J. H. A. MACDONALD said, he did not consider it was the duty of the Law Officers to do so.

MR. CALDWELL (Glasgow, St. Rollox) asked, whether it was not the case that this rule as to the payment of rates applied only to occupiers and not to heritors?

MR. J. H. A. MACDONALD said, he stated that he had no doubt Mr. Suther-

land was put upon the Board as an owner, and not as an elected member.

MR. ANDERSON repeated his Question to the First Lord of the Treasury as to the duty of the Law Officers to answer legal Questions.

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I have always understood that a Question on a point of law is one which it is not compulsory upon any Law Officer of the Crown to answer. There are methods of obtaining decisions upon points of law; and it would be inconvenient if the Law Officers of the Crown expressed an opinion upon questions which might become *sub judice*.

DR. CLARK (Caithness) asked, whether it was not the fact that sometimes owners were ten times more numerous on Parochial Boards than elected members?

MR. J. H. A. MACDONALD: I think that might certainly happen sometimes.

LOTTERIES—CATHEDRAL OF ST. MACARTAN, CLOGHER.

MR. KELLY (Camberwell, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a proposed lottery for the Cathedral of St. Macartan, in the diocese of Clogher, for which lottery as many as 200,000 tickets have been printed, and amongst the prizes for which are two sums of £150 each; and, whether, such lottery being illegal, he will cause the necessary steps to be taken to prevent its being persisted in by those who are responsible for its promotion?

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, whether the proceeds of the lottery were not entirely to be devoted to the funds of the Cathedral?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, he had seen the tickets referred to, and he believed the right hon. Gentleman opposite (Mr. Sexton) was right in saying that the proceeds were to be devoted to the Cathedral purposes. He could not do more than repeat what he had said in reply to a previous Question, the effect of which was that the matter was under the consideration of the Attorney General for Ireland.

ADMIRALTY (SHIPS)—THE NAVAL MANŒUVRES.

MR. GOURLEY (Sunderland) asked the First Lord of the Admiralty, Whether it is correct that the flagship *Agincourt*, under the command of Admiral Rowley, collided with the steamship *Sestos*; if so, will he state when and where the accident occurred, who is to blame, and the extent of damage to each ship?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing), in reply, said, he had received no details beyond those which he communicated to the House yesterday. The damage to the *Agincourt* was slight; but he regretted to say that one of the marines was killed.

SELECT COMMITTEE ON ARMY ESTIMATES—MAJOR WATKIN.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Secretary of State for War, Whether the Army Estimates originally included the amount for the current year of an annuity of £1,000 agreed to be paid to Major Watkin; and, if so, why this item has been withdrawn; whether his attention has been called to a statement made by General Alderson before the Select Committee on Army Estimates (Q. 4665) that this sum would have to be "got out of the Vote somehow;" and, how does he intend to provide the money?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The annuity to Major Watkin will be met out of the item "Rewards to inventors."

In reply to a further Question from Mr. PICKERSGILL,

MR. E. STANHOPE said, this item was originally included in the War Office Estimate. The reasons for its withdrawal were fully stated in the Report of the Select Committee.

PUBLIC MEETINGS (METROPOLIS)—TRAFALGAR SQUARE.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Secretary of State for the Home Department, If he proposes to take any action in reference to the specific complaints against certain constables with respect to their conduct on Saturday last?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): With reference to the cases mentioned in this House on Monday, the 16th instant, I am having inquiry made, which is not yet completed. But, as I stated in the same debate, the only satisfactory mode of settling these complaints is for the persons aggrieved to bring a charge before a magistrate.

MR. HUNTER (Aberdeen, N.) asked the right hon. Gentleman, whether he recognized any responsibility for the police as being part of his servants?

MR. MATTHEWS: Most certainly; but I do not recognize it as part of my duty to inquire into their conduct. Inquiries of that sort are not satisfactory unless a public complaint is made. Such inquiries must necessarily be imperfect, if conducted without the safeguard of cross-examination in open Court.

MR. CONYBEARE (Cornwall, Camborne) asked, what should be done if magistrates refused to entertain, or rather dismissed, the summonses against the police, as they always did?

MR. MATTHEWS: When the hon. Member says "as they always do," does he mean that the magistrates do not perform their duty? That involves a charge against the magistrates, which I must entirely repudiate.

MR. CUNNINGHAME GRAHAM wished to know how a complaint was ever to be made by a poor man in this country, where justice cost so much?

[No reply.]

LAW AND JUSTICE—ILLEGAL SENTENCE ON A BOY AT STRATFORD PETTY SESSIONS.

MR. BRADLAUGH (Northampton) asked the Secretary of State for the Home Department, Whether he is aware that the Justices at Stratford Petty Sessions on Friday, July 13, are reported to have sentenced Charles Edwards, aged 10, to be sent to a reformatory school for six years; and, whether, inasmuch as the 29 & 30 *Vict.* c. 117, s. 14, limits the power of Justices in such cases to not more than five years, he will take any action the matter?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; it is a fact that the Justices sentenced this boy to a reformatory school for six years. The case has been noted; and I shall take steps to insure that the statutory period of detention is not exceeded.

MR. BRADLAUGH asked whether, if the sentence was in excess of the jurisdiction of the magistrates, it did not fall to the ground?

MR. MATTHEWS said, that involved a point of law on which he would offer no opinion. He would consider whether the objection to the sentence was one which affected its validity.

TRAFALGAR SQUARE—RIGHT OF PUBLIC MEETING.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked Mr. Attorney General, In what case it has been laid down by the High Court of Justice, or by some Judge of that Court, not as an *obiter dictum*, but as matter essential to or necessarily involved in the decision, that there is no public right of meeting in Trafalgar Square?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): In reply to the hon. Member, I have to remind him that it was ruled directly by Mr. Justice Charles, in his summing up to the jury in the case of "The Queen against Graham and Burns," that there was no public right of meeting in Trafalgar Square; and if he will consult the judgment of Mr. Justice Wills in the recent case of "*Ex parte* Lewis *v.* Vaughan" (4 *The Times* Law Reports, 649) he will find the same view of the law again enunciated.

SIR CHARLES RUSSELL (Hackney, S.) asked, whether it was not the fact that the conviction at the Old Bailey against Cunninghame Graham and others proceeded on the ground not that the meeting was illegal by reason of its being held in Trafalgar Square, but because it was calculated to inspire terror; and whether that ground would not be equally good ground for pronouncing any meeting illegal wherever held?

SIR RICHARD WEBSTER said, he did not think that the hon. and learned Member for Hackney could possibly have forgotten that Mr. Justice Charles ruled in the most direct manner, and told the jury, that there was no right of public meeting in any public place in the Metropolis other than those set apart under the Parks Act, and that

Trafalgar Square was a public place, and that the character of the meeting had nothing to do with the alleged right of meeting in Trafalgar Square.

SIR CHARLES RUSSELL said, that the Attorney General had misapprehended his Question, which was whether it was necessary from the decision in the case tried at the Old Bailey to pronounce conclusively on the question whether or not there was a right of public meeting in Trafalgar Square? He would ask him whether the verdict was not based upon the fact that the meeting was illegal because it was held under circumstances calculated to inspire terror; and whether it did not necessarily follow that any expression of the kind suggested, used by Mr. Justice Charles, was a mere *obiter dictum?*

SIR RICHARD WEBSTER said, that the hon. and learned Gentleman was confusing two matters. He (Sir Richard Webster) was not dealing with the particular question which was left to the jury as to that part of the case dependent upon the character of the meeting. It was necessary for the Judge to direct the jury upon the law; and in the course of his summing up Mr. Justice Charles distinctly ruled to the jury in the way he had described. He (Sir Richard Webster) entirely denied that the enunciation of the law by a Judge in directing a jury was a mere *obiter dictum.*

SIR CHARLES RUSSELL inquired, whether it was not the fact that in the case of "Saunders *v.* Warren and others" it was sought to raise the point for the opinion of the Superior Court whether it was illegal to hold peaceable and orderly meetings in Tralalgar Square; and whether Her Majesty's Government did not by their defence raise the point that the action was not brought within the statutory period of three months, and therefore the question could not be decided?

SIR RICHARD WEBSTER said, that if any such Question were put to him he must ask for Notice, because it did not in any way arise out of the Question which he had answered. He was somewhat surprised that his hon. and learned Friend, who himself was an ex-Law Officer of the Crown, should have thought fit to refer to advice given to the Government, as to which he knew perfectly well that the Attorney General's mouth was closed.

SIR CHARLES RUSSELL said, he could not admit that where the matter was public his hon. and learned Friend had a right to point out that he had given no Notice of this Question; but, in fact, he had had no intention of asking the Question until he came down to the House, and was informed that it was a very serious matter affecting the peace of the community.

An hon. MEMBER: Move the Adjournment.

MR. CONYBEARE (Cornwall, Camborne) wished to know whether it was the case that Sir Charles Warren had issued another Proclamation; and, if so, whether the Secretary of State for the Home Department could state the terms?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.) said, that Sir Charles Warren had issued no fresh Proclamation that he was aware of.

MR. CONYBEARE asked the Attorney General in what Act of Parliament the distinct right of public meeting in the Parks or open spaces in London was laid down; and whether a Proclamation prohibiting a public meeting in London would make it illegal in the absence of any other reason?

SIR RICHARD WEBSTER said, he must have Notice of that Question.

MR. LABOUCHERE (Northampton) could not understand that the right hon. Gentleman should say that Sir Charles Warren had issued no fresh Proclamation. There was one on all the walls.

MR. MATTHEWS: I am not aware of any.

MR. FIRTH (Dundee): It is a reissue of an old Proclamation.

MR. CUNNINGHAME GRAHAM inquired, whether the Attorney General's attention had been directed to the judgment of Mr. Justice Wills, wherein he said he abstained from pronouncing judgment under the circumstances as to the right of holding public meetings in Trafalgar Square?

SIR RICHARD WEBSTER asked for Notice of the Question.

MR. CUNNINGHAME GRAHAM said, he would put the Question on the Paper; but it would be too late to stop the meeting already announced.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL — EXPENSES OF THE ROYAL COMMISSION.

MR. ARTHUR O'CONNOR (Donegal, E.) asked the First Lord of the Treasury, What provision the Government propose to make for the expenses of the Commission to be established in pursuance of the Members of Parliament (Charges and Allegations) Bill; what for the expenses in connection with proceedings before it; and, what provision they propose to make for the discharge of the ordinary judicial duties of the Judges included in the Commission?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): Provision will be made for the expenses of the Royal Commission, as in the case of all other Commissions; and a similar answer will apply if necessity should arise for making provision for the discharge of the ordinary duties of the Judges.

MR. ARTHUR O'CONNOR: Will the right hon. Gentleman answer the second part of my Question?

MR. W. H. SMITH: My answer covers the second paragraph of the hon. Member's Question.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask the right hon. Gentleman, whether the Government intend to make provision for the expenses of persons, and of counsel for persons, who are summoned to appear before the Commission; and whether it is the intention that three of the Judges shall be withdrawn from their ordinary duties?

MR. W. H. SMITH: It is very inconvenient to answer Questions of this kind without Notice; but I have no hesitation in saying that there is no intention on the part of the Government to provide for the expenses of counsel. The same course will be followed in regard to this as to all ordinary Commissions.

MR. SEXTON: I wish, Sir——

MR. SPEAKER: Order, order!

MR. SEXTON: The right hon. Gentleman has omitted to reply to part of my Question. I asked him whether it is intended to withdraw three Judges for the purpose of this Commission?

MR. W. H. SMITH: I think I can hardly be expected to answer a Question of that character without Notice; but I think my answer to the hon. Member for East Donegal sufficiently explained the course intended to be followed. If it be necessary, provision will be made for the discharge of the ordinary official duties of the Judges to be employed on this Commission, in the same way as in the case of any other Royal Commission.

MR. ARTHUR O'CONNOR: Well, will there be a Supplementary Estimate?

MR. W. H. SMITH: No, Sir.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL—THE ATTORNEY GENERAL.

MR. W. H. JAMES (Gateshead) asked the First Lord of the Treasury, Whether any correspondence has passed between the proprietor or editor of *The Times* and Her Majesty's Government with reference to the Members of Parliament (Charges and Allegations) Bill; and, if so, whether there would be any objection to lay such documents upon the Table of the House?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): There are no documents of the kind to which the hon. Member refers.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask the right hon. Gentleman, whether any written or oral communication has passed between any Member of the Government, or any person acting on behalf of the Government, and any person acting on behalf of *The Times*?

MR. W. H. SMITH: I decline to answer any such Question.

PRISONS BOARD (IRELAND)—SUICIDE OF DR. RIDLEY, MEDICAL OFFICER OF TULLAMORE PRISON.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland a Question of which I have given him private Notice —namely, whether it is true, as reported, that Dr. Ridley, the medical officer of Tullamore Prison, who was in charge of the late Mr. John Mandeville, has committed suicide; if so, whether he has

received the particulars, and whether any reason for it is officially assigned?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am sorry to say that the news is true. I have received telegraphic information to that effect. With regard to the reason of the act, I shall abstain from any conjecture, as I believe a Coroner's inquest will be held to-morrow?

MR. SEXTON: I would ask whether the right hon. Gentleman gave any direction as to the attendance or the evidence of Dr. Ridley at the inquest on Mr. Mandeville?

MR. A. J. BALFOUR said, he had given no directions.

MR. SEXTON: Then I wish to ask the First Lord of the Treasury, whether the Government will agree to appoint a Special Commission to inquire as to the moral or legal responsibility of the Chief Secretary in this matter?

[No reply.]

LUNATIC ASYLUMS — THE RECENT DEATHS IN COLNEY HATCH ASYLUM.

In reply to Mr. W. REDMOND (Fermanagh, N.),

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.) said, he was aware that there had recently been two deaths in Colney Hatch Asylum; and he would do his best to see that any defects there might be in the attendants were remedied.

PARLIAMENT—A POINT OF ORDER.

MR. CONYBEARE (Cornwall, Camborne) asked for the Speaker's ruling upon a point of Order—namely, whether it was competent for an hon. Member to withdraw a Bill the second reading of which he had moved any more than he could withdraw an Amendment he had moved to a Bill, without the consent of the House; and whether it was not competent for any Member to resist such a Motion for withdrawal, and, if he desired, to press such opposition to the withdrawal of the Bill to a Division; or, if such Motion for withdrawal were made after midnight, the ordinary Rule did not apply, which referred to Motions objected to. He ventured to ask for this ruling, because it appeared in the Votes that the Bill the second reading of which was moved by the noble Lord opposite (Lord Randolph Churchill) was withdrawn; while in the report which appeared in *The Times* and other daily papers it was stated that the objection he had raised was sustained.

MR. SPEAKER: I overruled the objection taken by the hon. Member, because when an hon. Member proposes to withdraw a Bill it is a purely formal Motion, to which I did not think an objection could hold good.

PRIVILEGE.

PRIVILEGE — MR. CONYBEARE AND THE SPEAKER.—RESOLUTION.

LORD RANDOLPH CHURCHILL (Paddington, S.): Sir, I desire, with the leave of the House, to address a Question to the hon. Member for the Camborne Division of Cornwall (Mr. Conybeare) upon a matter which affects the Privileges of the House. I wish to ask him whether he admits or will state that he is the author of a letter which appears in *The Star* — an evening newspaper published in the Metropolis—this afternoon, headed "Mr. Conybeare and the Speaker?"

MR. CONYBEARE (Cornwall, Camborne): If the noble Lord will be kind enough to read the letter I shall be able to answer the Question.

LORD RANDOLPH CHURCHILL: I will read the letter if the hon. Member likes to trifle with a matter of this grave importance. It is necessary for the House to know whether the hon. Gentleman is the author of the letter before the House can formally deal with the matter as a matter of Breach of Privilege. I may say generally that the letter is headed "Mr. Conybeare and the Speaker." It is addressed to the editor of *The Star*, and it alludes to the "scandalous proceedings" which marked the second reading of the Bann Drainage Bill; it contains expressions of opinion by the hon. Member on the conduct of Mr. Speaker, and gives reasons for the hon. Member having committed himself to that opinion and to the results which followed, and the letter purports to be signed by the hon. Member. I have now to ask the hon. Member in his place whether the letter was written by him? [*Cries of* "Read!"]

MR. CONYBEARE: I have only to reply that until the noble Lord reads

the letter in question I can make no answer to his Question.

LORD RANDOLPH CHURCHILL: Mr. Speaker, in consequence of the conduct of the hon. Member, I must ask you a Question upon a point of Order—namely, whether it would be in Order for me to move that the Clerk at the Table should read the letter, or whether it would be more in Order that I should read it myself?

MR. SPEAKER: If the noble Lord wishes to bring the subject before the House as a matter of Breach of Privilege, it will be right that the letter should be read by the Clerk at the Table.

LORD RANDOLPH CHURCHILL: Then, Sir, I desire to bring before the House, as a matter of Breach of Privilege, a letter which purports to have been written by the hon. Member for the Camborne Division of Cornwall, dated the 19th of July, and addressed to the editor of *The Star*, and I ask that the Clerk at the Table should read the letter.

The said paper was delivered in, and the letter complained of read as followeth:—

Mr. CONYBEARE and The SPEAKER.

To the Editor of *The Star*.

Sir,

I hope that every true Liberal will realize the scandalous proceedings which to-night marked the Second Reading of the Bann Drainage Bill. This is one of three Bills of a purely local character, proposing to grant for the benefit of a number of Irish landlords a sum of nearly half a million sterling out of the pockets of the already over-taxed poor of this Country. Upon the Second Reading I moved a Resolution noting the above facts, and declaring that such works should be undertaken by an Irish Home Rule Parliament, and not at the expense of English, Scotch, and Welsh taxpayers, who are already overburdened with the cost of coercing Ireland. I had spoken but a quarter of an hour when one of the Tory rank and file moved the Closure, and the Speaker, who is supposed to exercise his discretion impartially for the protection of the minority, at once put the Question. Such a proceeding I stated later on was nothing short of a public scandal, and although, in obedience to the rules of Parliamentary decorum (which require that a Member should not by passing a reflection on the Speaker reflect upon the whole House), I withdrew the expression when called upon to do so, I have not the slightest doubt but that every Radical outside the House (as are most of those within it) is of the same opinion. For here is a Bill deliberately handing over vast sums of English money as a gift to Irish landlords, and we, English, Scotch, and Welsh representatives, are not to be allowed even half an hour's Debate as to whether it is a justifiable proceeding or not. The Government says you shall not debate the matter, and Mr. Speaker backs them up. I hope every elector in the Speaker's constituency will be careful to mark his conduct.

As I may be blamed for withdrawing my description of this proceeding, I may add that I did it deliberately for the following reasons:—

1. The withdrawal of an unparliamentary expression does not do away with the effect produced by using it. Nor does it imply any alteration of a deliberately expressed opinion. It remains on record.

"*He gloss' homomoch', he dè phrèn anomotós.*"

2. Suspension from the House would do no good to anyone except by pleasing the Tory Government, who would be delighted to be rid of a very uncomfortable thorn in their side.

3. My desire and my duty being to prevent the passing of these objectionable Bills, I should simply have forwarded the plans of the Government, and defaulted on my duty to my constituency, had I caused myself to be suspended for a week.

The only effect of the blundering stupidity of the Government to-night has been to arouse (as I hope) the vigilant opposition of every true Radical and Liberal against these mischievous and objectionable Bills. I intend to oppose them to the utmost at every point, and I rely on every true representative of the British taxpayer to do the same.

Yours, &c.,

C. A. V. CONYBEARE.

House of Commons, 19 July.

LORD RANDOLPH CHURCHILL: Mr. Speaker, the letter having been read, I have now to ask the hon. Member for the Camborne Division of Cornwall whether he wrote that letter?

MR. CONYBEARE: Yes, Sir; I did.

LORD RANDOLPH CHURCHILL: Mr. Speaker, it now becomes my duty—and I do not think after what the House has heard that anyone will be surprised at my action—to submit a Motion to the House. It is certainly not a pleasant matter—it is certainly one in which I take no delight whatever. Hon. Members opposite know well that I have never willingly taken part in personal

matters. But the matter which has been placed before the House by the reading of the letter by the Clerk at the Table seems to me to transcend mere personalities, and to affect the honour and the dignity of the proceedings of the House of Commons itself. I am sure we had all hoped, and had every reason to hope, that the many painful scenes which in recent years have agitated this House had altogether been relegated to the past, and that a new era of Parliamentary manners and Parliamentary life had begun among us. Nothing, Sir, was more calculated to justify such an opinion by Members of this House than the conduct of hon. Members opposite from Ireland, who I do not hesitate to say in the most public manner have almost invariably during this Session shown a most remarkable restraint on temper and on expression of speech, and who have seemed to set before themselves the one object of abiding by the Rules of the House of Commons and of contributing to the dignity and the reputation of this Assembly. Our hopes, as far as hon. Members from Ireland were concerned, have been fully justified. But I grieve to say that it has been left to a Member for an English constituency—an hon. Member who calls himself a Radical, and who claims *par excellence* to represent the people—to do his very best by his course of conduct night after night, day after day, culminating——[*Cries of* "Order!"]

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I rise to Order. I wish to ask you, Sir, whether, on a question of Privilege—an urgent matter relating to a specific Breach of Privilege—the noble Lord is entitled to make such allegations against the hon. Member for Camborne as that the hon. Member has misconducted himself night after night, day after day?

MR. SPEAKER: The noble Lord is bound to confine himself to the subject-matter of the letter.

LORD RANDOLPH CHURCHILL: I was going to say that the course of conduct of the hon. Member to which I allude culminated in the letter which has been read, and which I am now going to comment upon, with the leave of the House. I am sure I regret—and I am sure the whole House, without distinction of Party, regrets—that it has been an English Member who has laid himself open to the accusation of doing his best, either by his letter or by his previous conduct, to bring the English House of Commons into thorough disrepute and discredit with the people. It is not necessary for me, in the presence of right hon. Gentlemen opposite, and especially in that of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), whose experience of Parliament far surpasses that of any other Member—to insist upon the necessity of guarding the honour and the reputation of the House of Commons, which is inseparably connected with the honour and the reputation of the Speaker. Whatever is calculated to bring the Speaker of the House of Commons into public discredit and disrepute tends to reflect discredit and disrepute on the House of Commons; and more than that, if the House of Commons does not protect and support its Speaker when he is made the object of malevolent, venomous, and libellous attacks, there is no other power in the country that can exercise that duty. It is for these reasons, Sir, that I call upon the House of Commons to take action with regard to this letter. I would more especially draw the attention of the House to certain passages of grave significance in the letter read by the Clerk at the Table. I omit the first portion of the letter, which appears to me to express a perfectly legitimate political opinion, although it is one which I do not share myself, and which appears to be stated in rather exaggerated language. But I come to the sentence which begins as follows:—

> "I had spoken but a quarter of an hour when one of the Tory rank and file moved the closure, and the Speaker"—

I draw the attention of the House to this expression—

> "who is supposed to exercise his discretion impartially for the protection of the minority, at once put the Question."

I draw the attention of the House to the insinuation conveyed in the word "supposed," which insinuation, I am sure, the hon. Member for the Camborne Division does not deny. The letter proceeds—

> "Such a proceeding I stated later on was nothing short of a public scandal."

Now, Sir, has it really come to this—that the Speaker of the House of Commons, exercising the highest duties that

can devolve upon any Member of the House—most responsible and most anxious duties—exercising them with the general confidence and approval of both sides of the House, is to be told, not by a mere individual member of the public, but by a Member of the House itself, that his conduct with regard to a particular matter amounted to nothing less than a public scandal? [Mr. BIGGAR: Hear, hear!] I appeal confidently to hon. Members on that point. They will feel that such an expression, even if it stood by itself, would deserve the reproof of the House; but I go on to read another passage—

"I withdrew the expression"—

[Mr. CONYBEARE: Hear, hear!]—says the hon. Member in his letter—

"when called upon to do so. I have not the slightest doubt but that every Radical outside the House (as are most of those within it) is of the same opinion."

I am perfectly confident that the hon. Member, in making that statement, has altogether mis-stated and misrepresented the Radical Party; and I am perfectly certain that there are a great many Members of the Radical Party who would with one voice repudiate the accusation of the hon. Member that the conduct of the Speaker has been a public scandal. But I pass on—

"The Government says you shall not debate the matter, and Mr. Speaker backs them up."

Again, Sir, another insinuation of a most malevolent and malignant character, worse even than the insinuation to which I drew the attention of the House a few moments ago; because, after all, looking at the matter from the common-sense point of view, what is the charge against the Speaker? The charge is that the Speaker is in collusion with the Government in exercising the high duties of the Chair in a partial and partizan spirit. Then the hon. Member writes what seems to be the most deliberate and outrageous insult which anyone could offer to the House of Commons—

"I hope every elector in the Speaker's constituency will be careful to mark his conduct."

[Mr. BIGGAR: Hear, hear!] I note the spirit of that remark, and the House will appreciate that spirit. In a different spirit, and in a converse sense, I express the same hope. I hope not only every elector in the City of Warwick, but every elector in the United Kingdom, will mark Mr. Speaker's conduct. I have no doubt that in this opinion I shall be supported by an overwhelming majority in this House. Mr. Speaker's conduct in the Chair deserves the approval of the people of England. I pass on from that matter. I have brought before the House two grave insinuations—what I characterize as a deliberate insult to the Speaker. I come now to the most grave paragraph of all in the letter; and here, again, I have more confidence than I had before of carrying the House with me—

"As I may be blamed"—

says the hon. Member—

"for withdrawing my description of this proceeding, I may add that I did it deliberately for the following reasons:—(1) The withdrawal of an unparliamentary expression does not do away with the effect produced by using it. Nor does it imply alteration of a deliberately expressed opinion. It remains on record."

I appeal to the House, and to the hon. Member himself. Could anything be conceived more utterly at variance with every sentiment of gentlemanly honour and conduct, than that an hon. Member of this House, occupying the high position of Member of Parliament, should, whenever he uses un-Parliamentary language, in what may be the heat of the moment, when called upon by the Chair to withdraw the expression as a man of honour, as a man of truth, withdraw such an expression, and write to the newspapers next day to say that his withdrawal was a sham and empty formality, that his expression of opinion remains unaltered as if he had not as a man of truth and honour withdrawn it? Now I ask the House is that their idea, is it the idea of any section of this House, of the standard of Parliamentary honour? Are Parliamentary honour and Parliamentary truth to be placed lower than truth and honour outside these walls? To what a revolting and odious depth we have descended, if the House implies by taking no notice of the conduct of the hon. Member, that the withdrawal of libellous and un-Parliamentary terms is a mere formality uttered by an hon. Member to avoid consequences which may be inconvenient to himself, but which may be fully repudiated in another place where apparently

there is great safety just as if the withdrawal had not taken place. I am sure there is no Member of this House who will defend—at any rate in calm moments—such a revolting and such an atrocious statement as the passage I have just read. The hon. Member goes on to say in the letter—

"Suspension from the House would do no good to anyone except by pleasing the Tory Government, who would be delighted to be rid of a very uncomfortable thorn in their side."

The hon. Member appears to me to have strange ideas about truth and honour; but he has far stranger ideas——

MR. LABOUCHERE (Northampton): I rise to Order. I wish to ask whether an hon. Member can say of another hon. Member of this House that he has strange ideas of truth and honour?

MR. SPEAKER: I do not see any cause to interfere. The noble Lord is bringing forward a distinct charge against the hon. Member for the Camborne Division.

LORD RANDOLPH CHURCHILL: But, without doubt, the hon. Member has far stranger ideas as regards his own Parliamentary dignity. If the Tory Government possessed dictatorial powers they could get rid of any uncomfortable thorns they might choose—there, there, and there (pointing alternately to the Front Opposition Bench, the Benches behind, and the Benches below the Gangway). The last person, however, who would dawn on the mind of the most benighted Tory Minister as being an uncomfortable thorn would be the hon. Member for the Camborne Division himself. But, passing away from that most egotistical and vain expression, I draw the attention of the House to the fact that the hon. Member avows that he withdrew—with the approval of the House—what I characterize as a libellous and outrageous charge on the Speaker, not because he did not know that it was so libellous and outrageous, but because it might for the moment involve the suspension of himself from the Sitting of the House. Now, Sir, it is quite unnecessary to read more of the substance and gist of the letter. I doubt whether in all Parliamentary history a more painful, a more grievous departure from Parliamentary usage has ever been brought to the notice of the House and the public. If the House of Commons is to pass by this charge, the honour and the reputation of the Chair will become a thing of the past; and the dignity, the decency, and the honour of debate will be a vain expression. Not only can the House of Commons not pass this charge by, but I respectfully submit that it is the duty of the House to take the severest notice of it. That being so, I submit to the House a Resolution upon the subject.

Motion made, and Question proposed,

"That, in the opinion of this House, the Letter in the 'Star' newspaper of this evening's date, entitled 'Mr. Conybeare and the Speaker,' and signed by the honourable Member for the Camborne Division of Cornwall, is a gross libel upon the Speaker of the House of Commons, and deserves the severest condemnation of the House."—(*Lord Randolph Churchill.*)

MR. BIGGAR (Cavan, W.): I think that the House is under very great obligation to the noble Lord the Member for South Paddington [*Cries of* "Order!"]

MR. SPEAKER: The usual course under the circumstances is for the hon. Member who is charged to make any statement he wishes to make, and then to withdraw. If the hon. Gentleman the Member for the Camborne Division of Cornwall wishes to say anything he is entitled to speak now. Has the hon. Member anything to say?

MR. CONYBEARE: I have only one thing to say, and that is that, in my opinion, with regard to what happened last night with reference to the noble Lord's own Bill, it would have been more decent if he had left this matter to be brought up by the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin).

MR. SPEAKER: The hon. Gentleman will withdraw from the House pending the discussion.

MR. CONYBEARE thereupon withdrew.

MR. BIGGAR: I think that the House is under a very great obligation to the noble Lord the Member for South Paddington, first of all, for the very neat sermon he has preached to us on the question of truthfulness and good manners. I also think that we are under a great obligation to the noble Lord for drawing the attention of the House and of the country to the proceedings which occurred last night. I beg to say that, so far as my opinion goes, the vote which will be taken on this question will not

really decide it, but that the country outside must give a final judgment on a question of this sort. I remember very well that a discussion took place with regard to the New Rules of Procedure, when it was constantly impressed upon the House that the discretion ought not to be left to Mr. Speaker as to whether or not he should put the Question that the closure should come into operation. But the Government of the day insisted that the discretion should be left to Mr. Speaker, and that Mr. Speaker should decide whether a question had been fully debated or not. The noble Lord, in the Resolution which he has placed before us, has stated that the Speaker has been libelled. Now I think, and I state candidly, that in my opinion the Speaker has not been libelled. I do not mean to use any strong language, but I contend that the question on which the closure was carried on the previous night had not been properly debated; and I say more, that if Mr. Speaker had fully carried out the terms of the Resolution which gave him power to put the closure he would have refused to put the Motion to the House. We have not, perhaps, technically speaking, so high an authority as the Speaker; but the Chairman of Committees, who is looked upon as an exceedingly able and efficient Chairman of Ways and Means, has repeatedly refused to put Motions in favour of the closure when, in his opinion, the question has not been properly debated. I think that one or two things must be done in the future—either the Speaker must use his judgment as to whether or not a question has been properly debated before putting the closure, or else the Rule now in existence must be changed.

MR. SPEAKER: I think, perhaps, under the circumstances, the House will expect me to say a few words. I am sure I wish to speak without any heat, and I do not wish to import any kind of passion into the controversy which has arisen. The circumstances are these. The hon. Gentleman the Member for the Camborne Division rose, I think, at about 20 or 25 minutes to 12 o'clock—[An hon. MEMBER: Twenty minutes.]—to move an Amendment on the Bann Drainage Bill. About five minutes to 12 o'clock an hon. Gentleman representing an Irish constituency on the Opposition side of the House (Mr. Macartney) rose to move the closure. [Mr. BIGGAR: No, no! *and cries of* "Order!"] I refused to put that Motion, because I was aware that the hon. Gentleman the Member for the Camborne Division had not moved his Amendment, and that there remained five or six minutes at least before 12 o'clock in which he might move it. Twelve o'clock came, and, in accordance with the Rules of the House for the ordinary conduct of Business, the closure was moved. I accepted that Motion. I am not bound to state the reason, but I think it due to the House to do so. The reason I accepted it was that I understood that no Irish Member wished to speak nor had any objection to the Bill, but that if they had any objection full opportunity would be given on a subsequent stage to raise any objection they might like to the first Bill—namely, the Bann Drainage Bill. Subsequently, the hon. Gentleman the Member for the Camborne Division, alluding to what had taken place, and by implication, I presume, referring to my conduct, said that a gross public scandal had been the result. I said, considering the closure was the act of the House, and the House had passed the closure by a very large majority indeed, that that was a very improper expression for the hon. Gentleman to use, and that I must ask him to withdraw it. The hon. Member did not seem disposed to withdraw; and under the impression, which was confirmed by many hon. Members subsequently, that he did not withdraw, I named him to the House. Immediately after I did so, the hon. Member for Swansea (Mr. Dillwyn), among others, rose and said that the hon. Member for the Camborne Division intended to withdraw. I said, if that were so, I should most certainly take the word of the hon. Member for the Camborne Division without the slightest hesitation, and if he withdrew the expression the incident, so far as I was concerned, was at an end. Since I came down to the House the noble Lord the Member for South Paddington has shown me a letter and an article written in a paper which I have never seen, and about which I know nothing, and to the comments in which I am absolutely indifferent. I have nothing more to say. I thought I would give to the House a plain statement of exactly what passed, and I think I have

done so without the least colouring. Of course, as to the matter now before the House, I have nothing to say. I leave it to the judgment of the whole House.

Mr. LEA (Londonderry, S.): I wish to be permitted to confirm the statement you have made, Sir, that the closure was moved on this side of the House. I got up at two minutes to 12 o'clock, and moved that the Question be now put; but you, Sir, refused to put it on that occasion; and, consequently, I waited until another hon. Member, whom I was not aware was about to make the Motion, moved it at the end of the proceedings. It has been stated that the Motion was made at the instigation of the Government; I am able to say that no intimation was conveyed to me by any Member of the Government, or by anybody sitting on that side of the House. All I did was to intimate to an hon. Gentleman who sits on this side of the House that I intended to move the closure. I do not suppose I should be allowed to go into the merits of the Bill then under discussion; but when I know that the poor suffering tenant farmers in my constituency—[*Cries of* "Order!"]—when I saw the Bill being talked out of the House, as it was last night, and remembered the suffering tenants, it was enough to make their Representatives boil over with rage.

Mr. W. REDMOND (Fermanagh, N.): I only wish to say a word in reference to the statement which has been made that no Irish Member wished to discuss the Bill. I was sitting next to the hon. Member for the Camborne Division last night, when the hon. Member rose to object to the second reading of the Bill. I myself intended to make a speech upon the Bill, but the reason why the hon. Member rose was because upon a previous stage of the Bill he had given Notice that he had some particular objections which he intended to urge on the second reading. That is, I believe, the reason why the hon. Member rose before any Irish Member. I can assure the House that it was my intention—and I believe it was also that of other Irish Members—to speak on the Bill. It had only been debated for 20 minutes, as you, Sir, have pointed out, when the closure was moved by an hon. Member representing a constituency in the North of Ireland, and before any Irish Member had an opportunity of expressing his opinion on the Bill, one way or the other. After a debate which lasted only 20 minutes, and before a single Irish Member had had an opportunity of speaking, the closure was put from the Chair and carried. That is all I have to say upon the matter. I only rose for the purpose of saying that if the closure had not been accepted Irish Members would have spoken, and a great many of them were disappointed because no opportunity was afforded to them when they found that the debate was so summarily stopped.

The FIRST LORD of the TREASURY (Mr. W. H. Smith) (Strand, Westminster): I venture respectfully to put it to the House that we are not now entering upon the consideration of the circumstances under which the closure was put last night, nor upon the consideration of the circumstances under which you, Sir, exercise the discretion vested in the Chair. If any hon. Member of the House is of opinion that you are failing in the discretion which you ought to exercise, there is a method by which the House can express an opinion upon the exercise of that discretion. What we are now called upon to do is to decide whether or not the hon. Member for the Camborne Division has grossly libelled you, Sir, in the Chair, and has offered in your person an insult to the House. I venture humbly to say that no matter what may be the opposition in this House, or what may be the Party feeling, or whatever the differences that may exist between us, we must preserve with the greatest possible jealousy and care the character, position, and independence of the Speaker. I have no desire to press hardly upon any Member of this House. I should desire to avoid everything like exaggeration or excess of language in a matter of this kind; but I venture humbly to represent to the House that no graver offence can be committed against the House than to say that the Speaker of this House has been guilty of an act which amounts to a public scandal—that he has backed up by his influence, and by the exercise of his discretion, the action of the Government, or of any Party in this House, and that when an hon. Member has deliberately withdrawn an un-Par-

liamentary expression that it does not do away with the effect produced by it; nor does it imply an alteration of a deliberately expressed opinion; it remains on record. I certainly think there are very few Members indeed who would not be prepared to repudiate in the very strongest terms such expressions as those. I submit it would be impossible for any deliberative Assembly to conduct its proceedings with any claim to the respect of those whom they represent if a Member is permitted to withdraw an expression at one moment, and then to put on record that that withdrawal was simply intended to avoid the immediate results of using the expression in the first instance, and that it remains on record as against the high officer of the House, whom he had deliberately insulted, and whose authority he had despised. We must assert the independence of the Speaker in the Chair; we must maintain the ordinary decencies and Rules for the conduct of debate in this House; and it is on that account that I support the Resolution which has been moved by my noble Friend the Member for South Paddington.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I may respectfully remind the House that there is no occasion upon which we are more likely to be ourselves judged, and even judged severely, by the public out-of-doors than when we are under the impression that we are exclusively engaged in judging other people—that is to say, in judging one of our own Members. We have before us a Resolution judging one of our own number; and, as the noble Lord the Member for South Paddington has referred to me as having seen much of this House, I shall endeavour to state my own views in strict accordance with the Rule that you, Sir, have wisely laid down in your observations from the Chair. I shall endeavour to avoid all epithets of colour, for on an occasion of this kind declamation, rhetoric, and invective are wholly out of place, have no connection with the subject-matter, and can only tend to obscure and blind the judgment of the House in the performance of a difficult duty. Sir, I am under the impression that the course of proceeding now taken is not quite the most usual or the most convenient. I may be wrong; but I mean to say that the question has come upon me, as it has come upon us all, by surprise, and it has been impossible to make those references in a moment which are absolutely necessary in order to justify confidence in assertions as to the proceedings and usages of this House. My impression is that the usual and, I think, the most convenient course in questions of this kind, which in their first aspects are Breaches of Privilege, has been to move a Motion to the effect that such and such words or proceedings are a Breach of the Privileges of this House. I think there is a great convenience in that method of proceeding. It presents the case in the way least connected with any consequences to follow, or with any kind of heat. I think our practice has been, when we have thought that a Breach of Privilege has been committed, to hear the Member upon the subject, and then, having before us his entire conduct, before any question of a penal character has been introduced, and having heard what the Member has to say, to proceed to deal further with the subject, and to award whatever punishment or reproof the House chooses, or to take whatever course, on the whole, it may think best. I venture, provisionally and respectfully, to make this suggestion as to the course that I think is most convenient, and which I believe has been the usual course in proceedings of this painful character. I now come to the substance of the question, which is entirely new to me—entirely new as regards the proceedings of last night, and new as regards the letter in *The Star* of to-day. But the letter which has appeared in *The Star* raises, in my opinion, a simple issue. I perceived with satisfaction that the right hon. Gentleman who has just stated that it is his intention to support this Motion has done so without temper, and in terms of an entirely judicial character; and I should strongly deprecate any deviation from a judicial tone on an occasion of this kind. I find, Sir, that as to the substance of the letter, it complains of a proceeding of the Speaker in administering that Rule of Closure upon which we had so much debate last year, and about which my Friends and I made so many disagreeable predictions. This is a complaint in regard to the action of the Speaker. I take it to be quite indis-

putable that when an hon. Member is of opinion that the Speaker has erred in judgment, either in administering the Rule of Closure, or in any other part of his duty, it is in the power of the hon. Member, subject to very grave considerations of high Parliamentary prudence and expediency, if he thinks that the magnitude of the subject demands it, to call in question the conduct of the Speaker in a regular and formal manner. That I believe to be the absolutely established principle. The Speaker in the Chair wields enormous powers, but the whole of those powers are provisional, inasmuch as there is not one of them that cannot, either in a general or particular case, be brought under the review and judgment of the House. I agree that on an occasion of this kind the question is not where an hon. Member sits. The question now before the House is not whether the hon. Member is a Member of the Party termed the Radical Party, or the Party termed the Nationalist Party, or any other Party; all these matters have nothing to do with it, and I endeavour to look at it without reference to them. I shall endeavour to look at it, as I am positively bound to do, in cold blood, just as the question is presented to me. I admit that there is a Parliamentary and legitimate method, although a grave one—but I hope the time may never come when it shall be necessary to resort to it—by which the conduct of the Speaker may be called in question. We have, in the first place, every opportunity of appealing to you, Sir; and we have, in the second place, should the necessity arise, the power of appealing from you. While preferring those methods of procedure, and while we are bound, I think, by the highest obligations to confine ourselves to those sufficient and proper means of Parliamentary action, believing that the language of this Resolution might have been more chastened, although the form that has been given to it may not be the most expedient and convenient, and although differences of opinion may prevail as to the step to be immediately taken, yet I cannot, and I do not, deny that expressions of this kind used with respect to the Speaker in a public journal, or in any other way, are distinctly Breaches of the Privileges of this House, aimed at the dignity and the security of its proceedings; and although I am deeply grieved that a question affecting the dignity of the House should have arisen on an occasion when so many matters of the greatest public importance are before it, and when, as has been said by an hon. Member, it may be that a vote of this House will not bring an early close and settlement of the question—although I think there were many special considerations that might have suggested, and wisely suggested, a greater moderation in the proceedings of the House, yet, having this Motion before me, I cannot deny—on the contrary, I am bound to admit, and even assert—that these methods of proceeding with a view to censure the Chair are wholly incompatible with the Law and Practice of Parliament, and with the public interest; and, therefore, however reluctantly, I am compelled in the main to give my assent to a proposal the necessity for which I lament, and I must say some of the circumstances and incidents of which I very deeply deplore. I trust I may be allowd to finish as I began. I must say a word with reference to what fell from my hon. Friend behind me, that the proposal of the closure was made from this side of the House. I wonder from what side he means. I am obliged to make a slight protest against the assumption involved in the hon. Gentleman's speech that the sentiments of Gentlemen on this side of the House are generally to be inferred from a suggestion to which he had given the great weight of his personal authority. Passing from that subject, while I should be extremely glad if even now the form of procedure were altered, and we were called upon, in the first instance, to assert the Breach of Privilege, and then, by an ulterior step, to consider what measures we ought to take upon it—while I think it right very distinctly to assert that preference, yet I know that in a state of feeling such as prevails on these occasions to make substantive proposals for the purpose of giving effect to that view, and especially to make them from the particular position in the House in which I stand, might be, in all the circumstances, injurious. I, therefore, abandon the idea of moving against the Motion that has been now made. But I would respectfully suggest that a great improvement in the whole proceeding might be made if that method of action were adopted. If it be not, I cannot deny the main substance of the allegation that is

made, and I shall reluctantly assent to the assertion which the House is called upon to make.

MR. SPEAKER: I should certainly regard it as a double proposition—first, that the letter which is before the House did constitute a libel; and, secondly, what the punishment shall be.

MR. W. E. GLADSTONE: I really think that has been the usual practice, and it might be convenient, at any rate, to include in the proposition an assertion of the Privileges of the House.

LORD RANDOLPH CHURCHILL: With respect to the point of Order raised by the right hon. Gentleman, would it not be a view of the subject which might be legitimately held that Breaches of Privilege and Motions as to Breaches of Privileges apply more usually to action taken by some person or persons not connected with the House than to the conduct of its own Members? And that is why I deliberately refrained from putting it down as a matter of Breach of Privilege, seeing that the libel uttered by the hon. Member for the Camborne Division, if it be a libel, was uttered by a Member of the House of Commons, and therefore differs from Breaches of Privilege properly so called.

MR. BRADLAUGH (Northampton): On the point of Order I should like, Sir, to ask whether in the Journals of the House there are not repeated records of matters by Members declared to be Breaches of Privilege, and whether the punitive action on these has been by separate Resolutions?

MR. SPEAKER: Holding the view just stated by the hon. Gentleman, I propose to regard this proposition as two distinct propositions, and to put to the House, first, that the letter in *The Star* is a gross libel upon the Speaker of the House of Commons, and deserves the severest condemnation of the House.

MR. LABOUCHERE: I think that many of us would assent to that proposition if, instead of the words "gross libel," the noble Lord (Lord Randolph Churchill) would substitute "Breach of Privilege" [LORD RANDOLPH CHURCHILL: No, no!] Many of us were not here last night, but read what occurred in the newspapers. We may, or may not, in our own hearts have an opinion whether you, Sir, in fulfilling those high functions which you fulfil so ably were right in this particular instance. It is quite a different thing to entertain a personal opinion and to give expression to it. It would be far better if the noble Lord would agree to accept the words "Breach of Privilege," because that would be passed almost *nemine contradicente*. The noble Lord would then go on afterwards to move the second portion of the Resolution, which clearly raises the point whether it is such a Breach of Privilege as renders the person guilty of it liable to this very heavy penalty. I do not stand up here to defend, in its entirety, the conduct of my hon. Friend. I can perfectly understand that many hon. Members disapprove my hon. Friend's taste in raising this protest in *The Star*. But the noble Lord will, I think, see himself that there was a considerable vein of exaggeration in the expressions which he used, culminating in the proposal he has submitted to the House that the hon. Member should be expelled for the rest of the Session. If you, Sir, had named the hon. Member, he could only have been suspended for a week, for a second offence he would have been suspended for a fortnight, and for a third offence he would have been suspended for a month, and yet the noble Lord asks now that my hon. Friend should be suspended for the rest of the Session. In the same number of *The Star* there is an article by the editor couched in precisely as strong, if not stronger, terms than the letter. I think that many hon. Gentlemen do not know that, being Members of this House, they are not entitled to write in the newspapers upon your action, Sir, in precisely the same terms as if they were not Members of the House. I can, therefore, conceive that my hon. Friend was not aware that he was guilty of a Breach of Privilege. The *gravamen* of the charge is contained in this passage of the letter—

> "(1.) The withdrawal of an un-Parliamentary expression does not do away with the effect produced by using it. Nor does it imply any alteration of a deliberately expressed opinion. It remains on record."

My hon. Friend has just sent me a letter in which he says that he has been considering the matter, and that, so far as Paragraph No. 1 is concerned, as it was open to a construction not, at the time he wrote it, intended by him, and sug-

gested that he was ready to depart from his word, he withdraws it, and regrets the expression. [*Laughter.*] Generally, that is an expression of regret, and a withdrawal on the part of the hon. Member is not generally received with laughter in this House. The hon. Gentleman does regret that he used this expression, and he withdraws it. I would, therefore, ask the noble Lord whether, in view of the letter I have just read, and remembering how distasteful these proceedings are, he will not be content with the House declaring that this is a Breach of Privilege? Does the noble Lord agree to that? [*Cries of* "No, no!"] The noble Lord does not say so.

LORD RANDOLPH CHURCHILL: The matter is no longer in my hands, but in those of the House; but I do not concur in the hon. Member's views.

MR. LABOUCHERE: Then I presume that I am in Order in moving that, in lieu of the words "a gross libel on the Speaker and the House of Commons," there should be inserted, "a Breach of the Privileges of this House." I, therefore, move these words.

MR. SPEAKER: The hon. Member must leave out more words than those. The Question is, that the words "a gross libel on Mr. Speaker and the House of Commons," be left out, in order to insert the words "breach of the Privileges of this House."

Amendment proposed, to leave out the words "libel upon the Speaker of the House of Commons," and insert the words "Breach of Privilege."—(*Mr. Labouchere.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. LABOUCHERE: I do not understand that my hon. Friend intended, Sir, to use words personally disrespectful to you. [*Cries of* "Oh!"] You were acting as the exponent of the views of the House, and I take it that it is rather a libel upon the House. I look upon it more as an expression of opinion in regard to the House than upon you.

MR. CHAPLIN (Lincolnshire, Sleaford): I do not wonder that the hon. Member for Northampton (Mr. Labouchere) shrinks from defending the conduct of the hon. Member for the Camborne Division, nor do I think that the letter which the hon. Member has just sent into the House of Commons improves his position. The right hon. Gentleman the Member for Mid Lothian pointed out that the usual course on occasions of this kind was for the Member inculpated to rise in his place and make a statement. The hon. Member for the Camborne Division had that opportunity, and the only opinion he expressed was that, on the whole, he was of opinion that the noble Lord the Member for South Paddington would have done much better if he had left this matter to be moved by myself. Why he made that statement I cannot conceive. I was not in the House yesterday; and I knew nothing about the letter in *The Star* until I came down to the House, and why or wherefore he should think it incumbent on me to have taken this course I am at a loss to conceive. Perhaps I may be allowed to say that I warmly and cordially endorse the speech and action of the noble Lord upon this occasion. We have heard something from the right hon. Gentleman the Member for Mid Lothian as to the advantage of an entire absence of invective on an occasion of this sort; and I am bound to say that I did not hear a word from my noble Friend which was at all stronger than the circumstances demanded, and I believe I express the general opinion of the House of Commons when I say, that for the action of the noble Lord on this occasion, which expresses the determination of the House as a whole to uphold the dignity and authority of the Chair, he is entitled to the thanks of the House and of all classes of people outside who value the honour of the House.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I only wish to say that as Irish Members can obtain no redress in this House for slanders uttered in it, or for libels written outside, I do not concern myself in the matter of the present Motion, but I will leave you to settle your disputes between you.

MR. HUNTER (Aberdeen, N.): I must express my determination to support the Amendment of the hon. Member for Northampton. The noble Lord the Member for South Paddington declares this letter of the hon. Member for the Camborne Division to be a gross

libel, with various other adjectives I did not quite catch. The noble Lord is very fond of adjectives, and he piled Pelion upon Ossa, and Olympus upon both, though he did not say in what sense the letter is to be called a libel. Is the letter to be called a libel in the sense that it is untrue? If that were the question before the House I should not be prepared to say that it is a libel at all. It was due to the hon. Member for the Camborne Division, with whose language I do not at all agree, for I think it is worthy of the strongest condemnation, to keep in mind the extraordinary provocation he received. It was the first time in this House that 20 minutes were considered sufficient for the second reading of a Bill. One unfinished speech was not, in my opinion, an adequate discussion of the measure. If the hon. Member for the Camborne Division had kept himself within the limits of Parliamentary usage it would scarcely have been possible for him to use language too strong in reference to these proceedings. Therefore, I entirely dissent from the punishment which the noble Lord proposes, and which is monstrously excessive and vindictive. The infliction of such a punishment will not redound to the credit of this House. I would remind the House that people out of doors do not pay so much attention as hon. Members do to the niceties of language. They look more to the substance of the transaction, and I greatly fear that the punishment proposed by the noble Lord will do great harm by giving in the country to the hon. Member for the Camborne Division an importance to which upon his own merits he would never attain.

MR. T. P. O'CONNOR (Liverpool, Scotland): I should have thought that the noble Lord the Member for South Paddington (Lord Randolph Churchill) would have been the last man in this House to take the responsibility of the Motion now under consideration. Some hon. Members here who were acquainted with the noble Lord in his happier, and perhaps better, days when he did not occupy his present position, know that he did not hesitate to attack the Chairman of Committees who did not happen to belong to his own political Party. With regard to myself, I am responsible for what I do in this House, but for what I may do outside I invite my opponents to a Court of Law. I should have thought that the noble Lord, who is not devoid of generosity of character, would have withdrawn or modified his proposal. The Speaker has explained that he agreed to the closure last night because his impression was that no Irish Members desired to speak. Therefore, I may assume that the closure was misapplied, inasmuch as it is now known that several Irish Members did desire to speak. I had not the advantage of being present during the debate, but I am assured that 10 or 12 Irish Members were prepared to speak upon the question. [*Cries of* "No, no!"] I know that to express a doubt as to the veracity of an Irish Member is not considered even a breach of good manners. In spite of this interruption from the gentlemanly Party, I reiterate the statement that several Irish Members desired to take part in the debate. If I had been present I myself should have desired to take part in it; and I should have joined the hon. Member for the Camborne Division in strong and persistent hostility to the Bill. Then having regard to the fact that several Irish Members desired to speak on the Bill and your statement, Sir, that if you had known that any Irish Member desired to speak, you would not have allowed the closure to be put, the matter comes to this—that the closure was applied under a misapprehension. We are, therefore, entitled to complain of the Motion of the noble Lord, backed up as it was by a speech, the tone and temper of which were not suited to the gravity of the question we are discussing. The hon. Member for the Camborne Division wrote this letter under circumstances which ought to be an excuse for his action. I was glad, Sir, to hear from you that you did not regard the expressions used by the hon. Member as applying to you personally. Under the circumstances, I think the hon. Member has a right to complain of the Motion of the noble Lord. We, on this side of the House are proved to have been more than justified by this debate in taking up a hostile attitude against the Rule when it was under discussion last year. We pointed out that it would operate unfairly against you, Sir, and your Successors in the Chair; that as the act would be the act of the majority of the House it would be improper to en-

tangle your personal character or official conduct in the debates of this House. I was, therefore, glad to hear, Sir, that you did not put the matter on any personal ground at all. We are now discussing, not the Speaker's ruling last night, but the words applied by the hon. Member for the Camborne Division to the act of the majority of the House. That being so, I shall be free to vote for the Amendment of the hon. Member for Northampton. I shall only vote for it, however, because I deem it the lesser evil of the two, for I cannot agree with my hon. Friend that the letter was a Breach of the Privileges of that House.

MR. JOHN MORLEY (Newcastle-upon-Tyne): I think it tolerably clear that my right hon. Friend the Member for Mid Lothian is right when he says we should be acting more in accordance with precedent in cases of Privilege by first of all affirming that the letter of the hon. Member for the Camborne Division (Mr. Conybeare) is a gross Breach of the Privileges of this House. The precedent nearest to the mark is the case of Mr. O'Connell on Feb. 26, 1838. Complaint was made of certain expressions in a speech of Mr. O'Connell at a public meeting as containing a charge of foul perjury against Members of this House in the discharge of their judicial duties on Election Committees. Mr. O'Connell was heard in his place, and averred that he had used the expressions complained of. He was first of all declared guilty of Breach of Privilege, and then by order of the House he was reprimanded in his place by the Speaker. That seems to be a precedent entirely in point. Most of us on this side of the House are, and certainly I myself am, inclined to vote for the Amendment of my hon. Friend the Member for Northampton. [MR. LABOUCHERE: Hear, hear!] I have great doubt as to the words "gross Breach of Privilege." Last year when the hon. Member for the Camborne Division made a speech, or wrote a letter, in which some reflection was cast upon your conduct in the Chair, I thought it was my duty to assure you of my perfect conviction, and of the conviction of all of us, that it was your constant desire to be fair and impartial in presiding over this House. I should not, therefore, be suspected, in supporting the Amendment, of any desire to extenuate the gravity of the offence of which the hon. Member for the Camborne Division has been guilty in writing this letter. Enough has been said as to the offensive details of that letter, but we must view it as you, Sir, have invited us to view it, as a Breach of the Privileges of this House rather than as a mere personal attack upon yourself which you would be able to disregard. [*Cries of* "No, no!"] That, at least, is my view. What the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) has just said is most true, that this extremely painful incident is due to the disregard of the predictions which we made last year as to the almost inevitable effect of this Rule in bringing the Chair into collision with Members of the House. What we then said of the Rule is amply justified. I only want to say further, that I am glad we can dissociate the declaration that this letter is a gross Breach of the Privileges of this House from any view as to what took place last night, for I should be very sorry to give any vote which would imply that the stoppage of the Debate last night was anything but a very gross abuse of the Rules. On that question it is not my business now to enter. I have informed the House what I think of the events of last night, and I have stated with equal frankness my opinion of the letter of the hon. Member for the Camborne Division. I shall vote, therefore for the Amendment of my hon. Friend (Mr. Labouchere), reserving to myself the right of voting whichever way I may think best on any subsequent Resolution that may be moved.

MR. W. H. SMITH: Sir, I have listened with attention to the observations of the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley). He has referred, unfortunately, as I think, to the incidents which preceded the offence of which the House is now taking cognizance. I say deliberately that we have nothing whatever to do with those incidents. What we have to deal with is that which I venture to say the whole House must realize, and which the right hon. Gentleman himself did not deny, to be a libel upon the character and conduct of the Speaker of the House. It is because I believe it is a libel upon the conduct of the Speaker that I cannot accept the Amendment of the hon. Member for Northampton. The right hon. Gentleman seems to have lost sight

of the fact that partiality is attributed to the Speaker in this statement, and that an object and purpose are attributed to him in the action which he took, and that he is warned that the constituency which he represents in this House will have its eyes upon him with regard to his conduct, and that the letter winds up with an ostentatious statement—I regret to be obliged to use that observation—that the withdrawal was effected for the purpose for which it was necessary, but that it was insincere and unreal, and that the words remained on record. The observations which fell from the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) are those which fairly and properly represent the almost unanimous feeling of hon. Gentlemen on both sides of this House. We must regard this as a serious Breach of the Privileges and a serious libel against the House, against the Speaker, and against the order and discipline of the House. It is on that account, and not because we have any desire to press hardly on the hon. Member, and because I feel that the good order of the House and the conduct of hon. Members in relation to you, Sir, and in relation to the House, are dear and necessary for the maintenance of the Privileges of this House, that I shall vote for the original Motion of my noble Friend the Member for South Paddington and against the Amendment of the hon. Member for Northampton.

MR. E. ROBERTSON (Dundee): Sir, I do not want to stand for more than a minute between this House and a Division; but I should like to point out that the part of the letter to which the right hon. Gentleman has just referred supplies a conclusive reason against accepting the Motion of the noble Lord as against the Amendment of the hon. Member for Northampton. The right hon. Gentleman said that the most serious part of the letter, and I agree with him, was that which contained the ostentatious statement that the withdrawal by the hon. Member for the Camborne Division was an insincere withdrawal. The hon. Member declares that—

"The withdrawal of an un-Parliamentary expression does not do away with the effect produced by using it, nor does it imply any alteration of a deliberate expressed opinion, but t remains on record."

And he says that while his tongue was sworn his mind remained unsworn. I agree with the right hon. Gentleman that these are condemnable words, and I ask you, Sir, whether they are a libel upon you. It is ridiculous to say so, and, from that point of view, the Motion of the noble Lord is utterly inadequate to meet this case. It is not wide enough, and it is because the Motion of the hon. Member for Northampton is more adequate that I shall vote with the right hon. Gentleman the Member for Newcastle against the Motion of the noble Lord.

MR. BRADLAUGH (Northampton): Sir, I intend to support my hon. Colleague in the Amendment he has moved. I know of no more difficult position in which this House is placed than when it is judging a Member for his conduct, and I know how little the House exercises the judicial faculty when it is delivering any such judgment. I should not like to give a silent vote on this question, for I should not like to imply by my silence that I would be any party, directly or indirectly, to the implication of unfairness on the Chair made in the version of this letter. I vote for its condemnation as a gross Breach of the Privileges of the House, because that is a course which has been pursued in similar cases. I regret that the noble Lord the Member for South Paddington, in his position as public prosecutor for the House, did not maintain the dignity which ought to characterize the position he assumes, but thought fit to jest at the hon. Member for the Camborne Division. Surely it was no matter for jesting at any rate. The noble Lord who jested with it seemed to him to lose his sense of the gravity of the charges he was making when he turned aside into that jocular mode of expression. I regard the words spoken here or elsewhere as things which should be adhered to always, and I think that the letter which has been read to the House from the Table is open to the severest condemnation if from that point of view alone. I shall support my Colleague in the Amendment he has moved, desiring to remind the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) that when the debate on the Closure Rule was taking place, I pointed out, as *Hansard* will show, that within a brief space we should be discussing

the fairness or unfairness of the Speaker or Chairman of Committees, and that that would be degrading the authority of the Chair, lessening its influence and laying it open to outside popular verdict, as well as to the kind of thing which we have unfortunately before us to-day. I said then, and I think now, that the closure is a weapon which every Chamber should have at hand, but that it should exercise it on its own responsibility and not shift on to its chief magistrate the odium which the majority is afraid to face.

MR. PICTON (Leicester): Sir; I cannot give a silent vote on this question, because there is something which I think has not yet been said, and I think it is my duty to say it very briefly. The right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) has told us, as only he can, under what extraordinary circumstances and under what solemn forms alone we should be justified in calling in question the conduct of the Chair; but I contend that in refusing the Amendment of the hon. Member for Northampton, the Leader of the House is really insisting upon bringing the conduct of the Chair in question. We are dealing, as I take it, with the hon. Member for the Camborne Division of Cornwall, and not with the conduct of the Chair in the least degree. We, on this side of the House, do not think occasion has yet arisen for calling in question the conduct of the Chair. We bow in respect to it, we accept the decision of the Chair, and we decline to enter into any vote which would assume that the conduct of the Chair is to be called into question. If the right hon. Gentleman the Leader of the House persists in resisting the Amendment of the hon. Member for Northampton, he insists on raising the question of the conduct of the Chair, and I, for one, shall vote with the hon. Member. I make an appeal to hon. Gentlemen opposite on this ground that it is most desirable that the decision arrived at should be as unanimous as possible. We have heard speeches from all parts of the House, which show that all are ready to condemn the action and the letter of the hon. Member for the Camborne Division as a gross Breach of the Privileges of this House. Well, something will be gained if we come to an unanimous decision upon that point. As to anything further it can be discussed afterwards, but for the honour of the House do let us be unanimous in our decision.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): Sir, I claim the privilege of saying a few words on this question. I wish to express to the noble Lord my deep sense of the obligation under which I lie to him for having brought this question before the House. We cannot continue under the Closure Rule without some modification of it, and I wish, Mr. Speaker, with due deference to your ruling, to explain to the House why I rise to support the Motion of the hon. Member for Northampton. The other night the right hon. Gentleman the Secretary of State for the Home Department on a similar occasion deliberately charged me with inciting to riot, and holding an unlawful assembly, and the closure was put on. [*Cries of* "Order!"]

DR. TANNER (Cork Co., Mid): Sir, I wish to explain why I shall not vote in this Division at all. In the first place, hon. Members who were here last night must be aware of the fact that considerable heat was shown at or about the time when the question was put. As a Member of this House, who does not possess the best temper, I may be allowed to say a word in favour of the hon. Member for the Camborne Division of Cornwall (Mr. Conybeare), who sat close by me. None of us were in a good temper, and I would ask the House to remember that a very short time must have elapsed between what occurred in the House and the writing of this letter. There is no doubt, as you have so ably shown the House to-night, that had you known that a number of us were going to speak on the Bill in question, the closure would not have been put. I would certainly ask the House to remember the feelings and state of mind of the hon. Member for the Camborne Division at that time. He thought himself seriously aggrieved, and certainly I, for one, thought he was extremely aggrieved. As a man, perhaps, subject to fits of temper, I would ask any Member, whether Liberal or Tory, to put himself in the place of the hon. Member for the Camborne Division at the time he wrote that letter; I would ask them not to go into the Lobby without having reflected upon the position in which the hon. Member was placed, and without paying

attention to the wise words which have fallen from the Chair in this matter. I cannot vote either for or against this Motion; and I would implore hon. Members who have not reflected on the circumstances either to follow my example, or else to consider, at any rate, that this offence is not so very flagrant, in consequence of the peculiar circumstances attending it.

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): Sir, I entirely agree with what has fallen from the hon. Member for Leicester (Mr. Picton) as to the extreme desirability of the decision of the House being nearly, if not quite, unanimous. It appears to me that there is some risk that in the Division that is going to take place, some of us may be voting under a certain amount of misapprehension, or, at any rate, that we who take part in the Division shall not all of us be voting on exactly the same issue. I do not understand, from the observations which fell from my right hon. Friend the Member for Mid Lothian (Mr. W. E. Gladstone), that he took any exception to the words of the Resolution that the letter which was read was a gross libel on Mr. Speaker; but I understand from some of the speeches which have been made below the Gangway that exception has been taken to those words. The position of my right hon. Friend was, that in this case it was desirable, if possible, to follow as strictly and nearly as may be precedent, and that in all similar cases the preliminary stage in proceedings of this kind had been to declare the proceedings in question to be a gross Breach of the Privileges of the House. I understand my right hon. Friend to say that the House ought to follow precedent, and that he commits himself to that declaration. I do not know whether it would be possible, in a subsequent Resolution, to introduce a declaration that the letter in question is a libel on the Speaker; but I gather, from what has fallen from my right hon. Friend, that he would not object to the use of those words if they could be inserted in a subsequent Resolution, and that the House should first proceed to assert that there has been a gross Breach of the Privileges.

MR. J. CHAMBERLAIN (Birmingham, W.): I think it would be very convenient to the House that we should have the opinion of the Government upon the suggestion just made by my noble Friend the Member for the Rossendale Division of Lancashire (the Marquess of Hartington). May I once more lay that suggestion before the right hon. Gentleman the Leader of the House (Mr. W. H. Smith)? As I understand there is practically an unanimous opinion in the House that the letter of the hon. Member for the Camborne Division of Cornwall (Mr. Conybeare) is a gross Breach of the Privileges of the House. [*Cries of* "No, no!"] Well, practically the unanimous opinion. It appears to me that it would be most important for the dignity of the House, and for its future proceedings that we should have what would be practically an unanimous decision upon that point. Then, Sir, that having been established, it appears to me that it would be open to any hon. Member to propose, as a second Resolution, that inasmuch as the hon. Member for the Camborne Division has committed a gross Breach of the Privileges of this House, and has uttered a libel against the Speaker of the House, that a certain punishment should follow. I understand that if such a Resolution were put before the House as a second Resolution my right hon. Friend the Member for Mid Lothian would offer no opposition to it.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I wish to point out to the House that there is some mistake as to the precedents which might be applicable in this case. There is a precedent in the year 1858, where the assertion was not made in the first instance that it was a Breach of the Privileges of the House. The Resolution I am referring to began in these words—

> "*Resolved*, That the said article is a false and scandalous libel upon the Chairman and other Members of the Committee."

And proceeded—

> "That Washington Wilks, the proprietor and publisher of the said newspaper, in publishing the said article, has been guilty of a Breach of the Privileges of the House."—(3 *Hansard*, [150] 1068.)

The House will observe that the declaration of libel preceded any other action.

MR. W. E. GLADSTONE: I take the liberty of saying that in my state-

ment on this subject I referred only to the precedents of the last six years. I did not go back to the precedents in older times.

MR. GOSCHEN: But this is a precedent of 1858.

LORD RANDOLPH CHURCHILL: May I submit to the House two or three words to show as to why I hope that the majority of the House will support the original Resolution. Of course, it was my object in drawing this Motion to make it clear that the Speaker of the House had been cruelly libelled by the hon. Member for Camborne. This is what I wanted the House to assert—that the statements of the hon. Member were a gross libel. That is the point which I wish, if possible, to impress on the public mind. And I point out that the words suggested by the hon. Member opposite, "gross Breach of the Privileges of the House of Commons" are, to my mind, quite unnecessary, for there can be no greater Breach of the Privileges of the House of Commons than grossly and falsely to libel the Speaker.

MR. JOHN MORLEY: The precedent quoted by the right hon. Gentleman is not quite on all fours with the present case, because Mr. Washington Wilks was not a Member of the House.

MR. GOSCHEN: I would point out to the right hon. Gentleman that the distinction makes the case all the stronger. It is because we desire to put the libel in the forefront, in order to mark the sense of the House on the question, that the Government have decided to support the Resolution of the noble Lord.

Question put.

The House *divided*:—Ayes 245; Noes 168: Majority 77.

AYES.

Aird, J.
Amherst, W. A. T.
Anstruther, H. T.
Ashmead-Bartlett, E.
Baden-Powell, Sir G. S.
Bailey, Sir J. R.
Baird, J. G. A.
Balfour, rt. hon. A. J.
Banes, Major G. E.
Baring, Viscount
Baring, T. C.
Bartley, G. C. T.
Barttelot, Sir W. B.
Bates, Sir E.
Baumann, A. A.
Beach, right hon. Sir M. E. Hicks-
Beach, W. W. B.
Beadel, W. J.
Beaumont, H. F.
Beckett, E. W.
Beckett, W.
Bentinck, rt. hon. G. C.
Bentinck, W. G. C.
Beresford, Lord C. W. De la Poer
Bethell, Commander G. R.
Biddulph, M.
Birkbeck, Sir E.
Blundell, Colonel H. B. H.
Bolitho, T. B.
Boord, T. W.
Borthwick, Sir A.
Bridgeman, Col. hon. F. C.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brookfield, A. M.
Brown, A. H.
Bruce, Lord H.
Burdett-Coutts, W. L. Ash.-B.
Caine, W. S.
Campbell, Sir A.
Campbell, J. A.
Carmarthen, Marq. of
Cavendish, Lord E.
Chaplin, right hon. H.
Charrington, S.
Churchill, right hon. Lord R. H. S.
Clarke, Sir E. G.
Cochrane-Baillie, hon. C. W. A. N.
Coddington, W.
Coghill, D. H.
Colomb, Sir J. C. R.
Corry, Sir J. P.
Courtney, L. H.
Cranborne, Viscount
Crawford, D.
Cross, H. S.
Cubitt, right hon. G.
Curzon, Viscount
Curzon, hon. G. N.
Dalrymple, Sir C.
Darling, C. J.
Davenport, H. T.
Dawnay, Colonel hon. L. P.
De Lisle, E. J. L. M. P.
Dickson, Major A. G.
Dimsdale, Baron R.
Dixon, G.
Donkin, R. S.
Dorington, Sir J. E.
Dugdale, J. S.
Duncombe, A.
Dyke, rt. hn. Sir W. H.
Ebrington, Viscount
Edwards-Moss, T. C.
Egerton, hon. A. J. F.
Egerton, hon. A. de T.
Elcho, Lord
Elliot, hon. H. F. H.
Elliot, G. W.
Ellis, Sir J. W.
Elton, C. I.
Ewart, Sir W.
Ewing, Sir A. O.
Eyre, Colonel H.
Feilden, Lt.-Gen. R. J.
Fergusson, right hon. Sir J.
Field, Admiral E.
Finch, G. H.
Fisher, W. H.
Fitzgerald, R. U. P.
Fitz-Wygram, Gen. Sir F. W.
Fletcher, Sir H.
Folkestone, right hon. Viscount
Forwood, A. B.
Fry, L.
Fulton, J. F.
Gathorne-Hardy, hon. A. E.
Gathorne-Hardy, hon. J. S.
Giles, A.
Gilliat, J. S.
Goldsworthy, Major-General W. T.
Gorst, Sir J. E.
Goschen, rt. hon. G. J.
Gray, C. W.
Greene, E.
Grimston, Viscount
Grotrian, F. B.
Gunter, Colonel R.
Gurdon, R. T.
Hall, A. W.
Hall, C.
Halsey, T. F.
Hamilton, right hon. Lord G. F.
Hanbury, R. W.
Hankey, F. A.
Hardcastle, F.
Hartington, Marq. of
Heath, A. R.
Heathcote, Capt. J. H. Edwards-
Heneage, right hon. E.
Herbert, hon. S.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hoare, E. B.
Hoare, S.
Hornby, W. H.
Houldsworth, Sir W. H.
Howard, J.
Howorth, H. H.
Hozier, J. H. C.
Hubbard, hon. E.
Hughes, Colonel E.
Hulse, E. H.
Hunt, F. S.
Hunter, Sir G.
Isaacs, L. H.
Isaacson, F. W.
Jackson, W. L.
James, rt. hon. Sir H.
Jeffreys, A. F.
Jennings, L. J.
Kelly, J. R.
Kennaway, Sir J. H.
Kenrick, W.
Kenyon, hon. G. T.
Kenyon-Slaney, Col. W.
Kimber, H.
Knatchbull-Hugessen, H. T.
Knightley, Sir R.
Knowles, L.
Lafone, A.
Lawrance, J. C.
Lawrence, W. F.
Lea, T.
Lechmere, Sir E. A. H.

Legh, T. W.
Leighton, S.
Lennox, Lord W. C. G.
Lethbridge, Sir R.
Lewisham, right hon. Viscount
Llewellyn, E. H.
Long, W. H.
Lowther, rt. hon. J.
Lowther, hon. W.
Lowther, J. W.
Lubbock, Sir J.
Macdonald, right hon. J. H. A.
Mac Innes, M.
Maclean, J. M.
Maclure, J. W.
Madden, D. H.
Mallock, R.
Marriott, rt. hon. Sir W. T.
Matthews, rt. hn. H.
Mattinson, M. W.
Maxwell, Sir H. E.
Mildmay, F. B.
Mills, hon. C. W.
More, R. J.
Mount, W. G.
Mowbray, R. G. C.
Muntz, P. A.
Murdoch, C. T.
Noble, W.
Norris, E. S.
Northcote, hon. Sir H. S.
O'Neill, hon. R. T.
Paget, Sir R. H.
Parker, hon. F.
Pearce, Sir W.
Plowden, Sir W. C.
Plunket, rt. hon. D. R.
Plunkett, hon. J. W.
Pomfret, W. P.
Powell, F. S.
Raikes, rt. hon. H. C.
Rankin, J.
Rasch, Major F. C.
Ridley, Sir M. W.
Ritchie, rt. hon. C. T.
Robertson, J. P. B.
Robinson, B.
Ross, A. H.
Round, J.
Sandys, Lieut-Col. T. M.
Sellar, A. C.
Selwyn, Capt. C. W.
Shaw-Stewart, M. H.
Sidebotham, J. W.
Sidebottom, T. H.
Sidebottom, W.
Sinclair, W. P.
Smith, rt. hon. W. H.
Spencer, J. E.
Stanhope, rt. hon. E.
Stanley, E. J.
Stephens, H. C.
Stewart, M. J.
Stokes, G. G.
Swetenham, E.
Talbot, J. G.
Tapling, T. K.
Taylor, F.
Temple, Sir R.
Theobald, J.
Thorburn, W.
Tomlinson, W. E. M.
Trotter, Colonel H. J.
Tyler, Sir H. W.
Vernon, hon. G. R.
Vincent, C. E. H.
Walsh, hon. A. H. J.
Watkin, Sir E. W.
Webster, Sir R. E.
Webster, R. G.
Wharton, J. L.
Whitley, E.
Whitmore, C. A.
Winn, hon. R.
Wodehouse, E. R.
Wolmer, Viscount
Wood, N.
Wortley, C. B. Stuart-
Wright, H. S.
Young, C. E. B.

TELLERS.
Douglas, A. Akers-
Walrond, Col. W. H.

NOES.

Abraham, W. (Limerick, W.)
Acland, A. H. D.
Allison, R. A.
Asquith, H. H.
Austin, J.
Balfour, Sir G.
Barbour, W. B.
Barran, J.
Biggar, J. G.
Bolton, J. C.
Bradlaugh, C.
Bright, Jacob
Broadhurst, H.
Brown, A. L.
Brunner, J. T.
Bryce, J.
Cameron, J. M.
Campbell, Sir G.
Campbell-Bannerman, right hon. H.
Carew, J. L.
Causton, R. K.
Chamberlain, rt. hn. J.
Channing, F. A.
Childers, right hon. H. C. E.
Clancy, J. J.
Clark, Dr. G. B.
Cobb, H. P.
Coleridge, hon. B.
Conway, M.
Corbet, W. J.
Cox, J. R.
Cozens-Hardy, H. H.
Craig, J.
Crawford, W.
Crossley, E.
Deasy, J.
Duff, R. W.
Ellis, J.
Ellis, T. E.
Esslemont, P.
Evans, F. H.
Farquharson, Dr. R.
Ferguson, R. C. Munro-
Finucane, J.
Firth, J. F. B.
Fitzgerald, J. G.
Flower, C.
Foljambe, C. G. S.
Forster, Sir C.
Fowler, right hon. H. H.
Fry, T.
Fuller, G. P.
Gaskell, C. G. Milnes-
Gladstone, rt. hn. W. E.
Goldsmid, Sir J.
Gourley, E. T.
Graham, R. C.
Grove, Sir T. F.
Harris, M.
Hayden, L. P.
Hayne, C. Seale-
Howell, G.
Hoyle, I.
Hunter, W. A.
Illingworth, A.
Jacoby, J. A.
James, hon. W. H.
Joicey, J.
Kay-Shuttleworth, rt. hon. Sir U. J.
Kenny, C. S.
Kilbride, D.
Lalor, R.
Lawson, Sir W.
Lawson, H. L. W.
Leahy, J.
Leake, R.
Lefevre, rt. hn. G. J. S.
Lockwood, F.
Lyell, L.
Macdonald, W. A.
M'Arthur, W. A.
M'Carthy, J.
M'Donald, P.
M'Donald, Dr. R.
M'Ewan, W.
M'Lagan, P.
Maitland, W. F.
Mappin, Sir F. T.
Marjoribanks, rt. hon. E.
Menzies, R. S.
Morgan, rt. hon. G. O.
Morgan, O. V.
Morley, right hon. J.
Morley, A.
Mundella, rt. hon. A. J.
Neville, R.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, P. J.
O'Connor, A.
O'Connor, J.
O'Connor, T. P.
O'Hanlon, T.
O'Keeffe, F. A.
Palmer, Sir C. M.
Parker, C. S.
Paulton, J. M.
Pease, A. E.
Philipps, J. W.
Pickard, B.
Pickersgill, E. H.
Picton, J. A.
Pinkerton, J.
Potter, T. B.
Powell, W. R. H.
Power, P. J.
Power, R.
Price, T. P.
Priestley, B.
Pugh, D.
Pyne, J. D.
Randell, D.
Rathbone, W.
Redmond, W. H. K.
Reid, R. T.
Richard, H.
Roberts, J.
Roberts, J. B.
Robertson, E.
Roe, T.
Roscoe, Sir H. E.
Rowlands, J.
Rowntree, J.
Russell, Sir C.
Samuelson, G. B.
Schwann, C. E.
Shaw, T.
Sheehan, J. D.
Simon, Sir J.
Smith, S.
Spencer, hon. C. R.
Stanhope, hon. P. J.
Stepney - Cowell, Sir A. K.
Stevenson, F. S.
Stewart, H.
Stuart, J.
Sullivan, D.
Summers, W.
Sutherland, A.
Sutherland, T.
Swinburne, Sir J.
Thomas, D. A.
Trevelyan, right hon. Sir G. O.
Tuite, J.
Wallace, R.
Warmington, C. M.
Watt, H.
Wayman, T.
Will, J. S.
Williams, J. Powell-
Williamson, S.
Wilson, H. J.
Wilson, I.
Winterbotham, A. B.
Woodall, W.
Woodhead, J.
Wright, C.

TELLERS.
Labouchere, H.
Dillwyn, L. L.

Main Question put,

Resolved, That, in the opinion of this House, the Letter in the "Star" newspaper of this

evening's date, entitled 'Mr. Conybeare and the Speaker,' and signed by the honourable Member for the Camborne Division of Cornwall, is a gross libel upon the Speaker of the House of Commons, and deserves the severest condemnation of the House."

Motion made, and Question proposed,

"That Mr. Conybeare, Member for the Camborne Division of Cornwall, be suspended from the Service of the House for the remainder of the Session." — (*Lord Randolph Churchill.*)

MR. LABOUCHERE: Sir, I rise to move an Amendment, the object of which is, that instead of being suspended for the remainder of the Session, the hon. Member for the Camborne Division of Cornwall be suspended for one week. The House has already expressed its opinion in the strongest terms with regard to the action of my hon. Friend the Member for the Camborne Division; but I am sure that the House, having done so, will feel that some generosity should be applied in considering the punishment which should be awarded to him. I would point out that we have a regulated scale of punishment for Parliamentary offences; so much for the first offence, so much for the second, the punishment for the third offence being suspension for one month. This is the first offence on the part of the hon. Member for the Camborne Division. [*Cries of* "Oh, oh!"] Undoubtedly this is the first offence. Under these circumstances, I certainly think hon. Gentlemen opposite might be satisfied with the action they have already taken and assent to this alteration which I suggest. I would point out that it would come with a good grace from them, because my hon. Friend is accustomed to take a somewhat active part in the discussions on the Estimates. The Estimates are about to become the chief Business of the House during the rest of the Session. My hon. Friend does good work in calling attention to certain points in the Estimates, and we are anxious that he should be able to back what he believes to be the cause of economy and the cause of the country. I put it to hon. Gentlemen opposite that they should not only look at the matter in a generous light as Members of the House of Commons, but also that they should look at it generously as the political opponents of the hon. Member. By acceding to this request you will have prevented anything of this kind taking place at a future time, and the punishment awarded to the hon. Gentleman would be sufficient.

Amendment, to leave out the words "for the remainder of the Session," in order to insert the words "one week." —(*Mr. Labouchere.*)

Question proposed, "That the words 'for the remainder of the Session,' stand part of the Question."

SIR JULIAN GOLDSMID (St. Pancras, S.): Sir, I do not know whether the noble Lord the Member for South Paddington (Lord Randolph Churchill) means that this punishment shall last to the end of the Autumn Session or to the adjournment of the Session. Now, I agree that the hon. Member for the Camborne Division has committed a serious offence; but I think that the punishment ought not to be too great, and I venture to say I think so especially because that hon. Member is somewhat unpopular. [*Cries of* "No, no!" *and* "Withdraw!"] I know he is unpopular with a large number of Members of the House. In my opinion, it is not desirable that the punishment should be in any way vindictive. I think it should be adequate to the offence; a week is not long enough; but suspension for the whole of the Session and the whole of the adjourned Session which we are about to hold is too long in my opinion, and I venture to ask the noble Lord whether he would not limit his Motion to the remainder of the Session? I think the constituents of the hon. Member would hardly appreciate so long a punishment as one which would extend to the end of the adjourned Session; and, therefore, with some confidence I beg to urge this plea for mercy on the noble Lord.

MR. W. E. GLADSTONE: Sir, I agree with the substance of what has been stated by my hon. Friend who has just sat down—namely, that there is a difficulty as to the form of the Motion of the noble Lord. When that Motion was read I took it for granted that the noble Lord had, in his mind, the time which remained to the end of the Session, viewing it as an ordinary Session. This Session, I conjecture, will last for a month. Owing to the accident that we do not know yet—the right hon. Gentleman the Leader of the House (Mr. W. H. Smith) has not been able to tell

us—whether there will be an Autumn Sitting or not. We do not know really whether this Motion means suspension for one month, or whether it means suspension for six months. We ought, I think, to know which of the two it means. It would be absurd to make the period of suspension dependent on what to us is at present unknown, and on what we may call relevant to this subject, a pure accident. I therefore, submit, that, in my opinion, to inflict a punishment for six months would be too severe, and that it would be better to substitute a moderate and definite term in order that the Resolution of the House may be carried out in the spirit suggested by my hon. Friend.

LORD RANDOLPH CHURCHILL: Sir, I do not know whether the right hon. Gentleman the First Lord of the Treasury is in a position to make any statement with regard to the adjournment of the House until the autumn, nor do I think that any such statement would have the slightest connection with the matter now being discussed. The right hon. Gentleman the Leader of the Opposition (Mr. W. E. Gladstone) has spoken about a moderate term of punishment. Certainly I do not think that the House should agree to any immoderate term of suspension; I should be sorry to be connected with the giving of such advice; but I would call to the notice of the House the main feature of the Motion—namely, that there has been a gross libel on the Speaker of the House of Commons which deserves the severest punishment. Now, Sir, I decline, under these circumstances, to concern myself with any refinements or speculations as to when the Session is to be terminated. I think it is perfectly reasonable that the House, having agreed to the Motion, should come to the conclusion that the hon. Member has incapacitated himself from taking any part in the service of the House during the present Session. If anyone has a right to complain it is not the hon. Member for the Camborne Division, it is the Mover of the Resolution. We have to confine ourselves to the character of the Chair and the authority of the Chair, and I cannot think that any less punishment than that assigned in the original proposal would be adequate to the offence of the hon. Member.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton): Sir, we are all so taken by surprise by the events of to-day, and we have not our precedents near at hand, but in the recollection of many of us there is a very exact precedent, indeed, which I think we shall do well to follow in this matter. A gentleman whose conduct has been before the world in a very prominent manner in recent days—I am speaking from recollection, but I believe I am speaking correctly—very grossly insulted the Chairman of Committees when he was a Member of this House. The insult was an extremely gross one, and it was repeated and insisted upon. The then Leader of the House—the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone)—was called upon by his position to take cognizance of this matter, and the punishment which he proposed, and which was accepted by the House, was a suspension for 14 days. I must say that I find it absolutely impossible to vote for a single day more on this occasion, because, while as regards the Breach of Privilege I consider that it is our duty as much as possible to be silent on the events of last evening, when it comes to the amount of punishment it is absolutely impossible to pass them over altogether. When the right hon. Gentleman, who leads the House, in his laudable anxiety to limit as much as possible an inconvenient debate, begged us not to refer to those events, I think he forgot, Sir, that you, from the Chair, had very distinctly laid before us an important and interesting description of what occurred. Now, in that description you referred to an hon. Gentleman who spoke from this side of the House—the hon. Member for South Londonderry (Mr. Lea)—and that hon. Member got up to explain his conduct, and told us why he moved the closure so early, and he said that the reason was that when the House was inclined to vote money for poor starving people in Ireland the question was not to be debated for five minutes.

MR. LEA: What I said was, that when I saw a Bill being so talked out, a Bill which might save the products of a year's labour to the struggling tenants of my constituency, it was enough to make their Member boil with rage.

SIR GEORGE TREVELYAN: I accept at once the words of my hon. Friend, and I think they are very ominous. I absolutely repudiate the idea that the closure, moved with the intention of giving short discussion upon a question of money to be given to any rank of starving people in Ireland, is a legitimate reason for moving the closure in the manner which it has been used by the majority of the House. No one can more strongly condemn than I do very much that is in the letter of the hon. Member for the Camborne Division. It has, on the face of it, what we all condemn, and in some respects mild words cannot be used with regard to it; but the writing of a letter on the subject I do not greatly blame. The events of yesterday were very remarkable events indeed. I was absent—[*Laughter*]—that is the judicial temper in which this discussion is being carried on—I was absent, but my very absence is a proof of the very peculiar character of the proceedings of last night, because, interested as I was in the Bann Drainage Bill, I left the House at 25 minutes or so before 12, because it never even entered my imagination that a Bill of that importance could possibly have been brought on after that time. The hon. Member for the Camborne Division, professing to speak—and I believe sincerely speaking—for the ratepayers of this country, thought that he had been greatly wronged. I do not enter into the question whether he was greatly wronged or not—and what method had he of expressing that fact or bringing it before the House? He had, for practical purposes, absolutely none. How could he bring before this House the fact that, in his opinion, the closure had been improperly used? I think it is a very strong doctrine to lay down that under these circumstances, the hon. Member might not write a temperate and moderate letter to the newspapers, stating that, in his opinion, the majority of the House had applied the closure in an improper manner. But the hon. Gentleman wrote a letter to a newspaper which was not moderate, and I think that for having yielded to a temptation—for having written an intemperate and immoderate letter, and one which violated the privileges of this House—a punishment similar to that inflicted on Mr. O'Donnell would be sufficient.

MR. LABOUCHERE: Sir, I will ask leave to withdraw my Amendment, and substitute another Amendment providing for the suspension of one fortnight. I do so because my right hon. Friend has just cited a particular precedent which I think should be followed in this case.

Amendment, by leave, *withdrawn.*

Amendment proposed, to leave out the words "the remainder of the Session," in order to insert the words "one fortnight."—(*Mr. Labouchere.*)

SIR JOHN LUBBOCK (London University): Sir, the noble Lord the Member for South Paddington has justly observed that this House has passed a strong Resolution condemning the hon. Member for the Camborne Division (Mr. Conybeare), and that, therefore, we should pass a severe punishment; but I should like to point out that if we accept the proposal of the noble Lord, we should be inflicting a punishment the amount of which we do not know, and the severity of which would have no reference to the conduct of the hon. Member. No one at present can say whether it would be a suspension of one month or six, because it depends entirely upon whether there will be an Autumn Sitting. I understand the noble Lord to mean that the suspension should last to the end of what is colloquially known as the present Session, but not to extend to an Autumn Sitting. If we were to vote for the Motion of the noble Lord, it seems to me that we should be placed in an awkward position, and I would, therefore, submit to the House that we should substitute some definite period, say one month, for the indefinite words employed in the noble Lord's Amendment.

MR. W. E. GLADSTONE: Sir, my right hon. Friend has brought before us a case in which the House proceeded with a very just and grave deliberation, the advantages of which we do not now enjoy. I apprehend that I am safe in assuming that the authority of the Chairman of Commitees is surrounded by the same sanction as that of the Speaker in the Chair while he is engaged in discharging his very difficult office. For the convenience of the House, I may say that I am about to quote from *Hansard.* I find that on the 3rd of July, 1882, Mr. Speaker made a Report of

which I am now going to give an account—

"Mr. Playfair then reported to Mr. Speaker that Mr. O'Donnell, the Member for Dungarvon, sitting in his place, had insulted the Chairman, saying that the action taken by him was"—not a public scandal but—"an infamy."—(3 *Hansard*, [271] 1274.)

That was the offence.

"Mr. Speaker thereupon addressed the House, and stated that it was his duty, in consequence of the Chairman's Report, to submit the conduct of Mr. O'Donnell to the judgment of the House."—(*Ibid.*)

That was on the 3rd of July, and the Motion made upon it was—

"That the conduct of Mr. O'Donnell be taken into consideration on Monday next."—(*Ibid.*)

I cannot but express my deep regret that I had not a clearer recollection to place at the service of the House, when I last rose, of proceedings which I think would have been an admirable pattern for our conduct in this case. It was under these circumstances that the words used by Mr. O'Donnell, "an infamy," were dealt with, and I believe that the House thought that a suspension of 14 days was an adequate punishment for that offence. We are now invited by the noble Lord to impose a punishment which may mean suspension for six months.

MR. GOSCHEN: Sir, I would point out to the right hon. Gentleman with reference to what he calls the precedent of Mr. O'Donnell, that in that case there was but one offence committed—a grave and heavy offence, as the right hon. Gentleman has rightly described it. In this case, there was not only the insult to the Speaker of the House of Commons, but the hon. Member for the Camborne Division wrote a letter to the Press, and in it practically withdrew his withdrawal of the charges which he had made. I am quite sure that the right hon. Gentleman the Member for Mid Lothian must feel the gravity of this withdrawal, because if an apology in the House is to count for nothing, it strikes me that a fresh blow has been delivered at the decorum of the proceedings of this House. The hon. and learned Member for Dundee (Mr. E. Robertson) rightly characterized this as the gravest part possibly of the whole offence. That consideration did not enter into the deliberations in the case of Mr. O'Donnell. In the case of Mr. O'Donnell there was an offence committed in the heat of the moment; in this case we have not only the action resulting from the heat of the moment, but we have this withdrawal, which I think constitutes a grave aggravation of the original offence, and if the former offence was punished with suspension for a fortnight, I do not think that the offence of the hon. Member for the Camborne Division would be adequately punished with the same term of suspension.

MR. BRADLAUGH: Sir, at the present moment this matter is in the decision of the House. If the House inflicts no longer punishment than is adequate, there is no appeal against the decision of the House; but there is a very effective appeal, if the House passes such a sentence as is now proposed, to the constituents of the hon. Member. A punishment of this nature falls not on the hon. Member alone but on his constituents, and if the punishment is to obtain for the whole of the Session, including the adjourned Session, his constituents may consider it too great. But suppose the hon. Member for the Camborne Division were, if the House suspended him for the whole Session, to ask the right hon. Gentleman the Chancellor of the Exchequer for the Chiltern Hundreds; would he venture to refuse it? If the right hon. Gentleman did, he would act contrary to precedent. I know an hon. Member who was prevented by Order of the House from sitting, but in a week his constituents cancelled the Order, and he presented himself at the Table again. I ask the House not to put itself in that position. I believe the judgment of the people outside will condemn, as this House has condemned, the letter of the hon. Gentleman; but I believe the country will revolt, and I think justly revolt, against a punishment which is in excess of anything which the House has inflicted for a similar offence—a punishment inflicted in the heat of the moment, without deliberation, and with no sort of generosity in the moving. Men who stand high and free from reproach, men who have never used obstruction in this House, who have always contributed to its Order, and who have never, with however clever innuendo, challenged the decision of the Chairman of Committees, have alone the right to take this high ground. The noble Lord the Member

for South Paddington should have been reticent of words of provocation in this House. I have listened to the noble Lord night after night, when he occupied a seat on this side, and I never dreamed at the time that he was contributing to the decorum of debate. Try to be generous if you cannot be just. I know it is exceedingly difficult for this House to be just, but I hope there are enough English Gentlemen in it to be generous. I have always, under all circumstances, shown the utmost respect for the Chair, even when I felt it my duty to come in collision with it, and having suffered the punishment which this House inflicts, I ask it not to give to the hon. Member for the Camborne Division the right to appeal to his constituents against a decision which I shall urge is harsh, if the Resolution of the noble Lord is passed. If the House errs at all, let it be on the side of mercy, remembering that it is the constituents who suffer, and not the hon. Member.

MR. CHAPLIN: Sir, if the argument of the hon. Member opposite is good for anything at all it would be equally good against any punishment whatever. This is the third time on which the hon. Member for the Camborne Division has offended in this way. I think it was in the last Session or the Session before that the conduct of the hon. Member came under the review of the House, in consequence of language used with regard to Mr. Speaker; then there was the event of last night, which constituted the second stage; and the letter which appeared to-day is the third. The rule of our procedure is that at present that when a Member has offended three times, he is liable to suspension for the remainder of the Session. We cannot, therefore, think that the punishment which is now moved by the noble Lord is excessive. When we consider the character of the observations, and still more the character of the Resolution in which the House has just arrived, I, at any rate, am totally unable to conceive how any hon. Member of this House, or any man, can consider that the punishment proposed to be awarded is greater than is deserved.

LORD RANDOLPH CHURCHILL: Sir, in consequence of the observations of the hon. Member for Northampton (Mr. Bradlaugh), I wish, if I may be allowed, to say that the only time when I thought it my duty to refer to the conduct of the Chair, was when the Chairman of Ways and Means consulted the Speaker as to the objection I had taken, and came back to inform the House that the objection was sound and that I was in Order.

MR. CHILDERS (Edinburgh, S.): Sir, I listened to what fell just now from the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin). He said that the offence which the House has declared that the hon. Member for the Camborne Division has committed, ought to be treated as a third offence and punished accordingly. That, Sir, is inconsistent with the Resolution we have passed. We have passed a definite Resolution with respect to a particular letter; and if the House is to go back to all the quarrels they have had with one hon. Member or another and treat them as a reason for additional punishment, I think we shall arrive at a very lamentable position. I trust, however, that the House will calmly address itself to the question as to what is a fair and reasonable punishment for the offence which the hon. Member for the Camborne Division has committed. Reference has been made to a case which is very much in point, and which I perfectly well remember, because it was my duty to move the resolution which led to the subsequent proceedings. I refer to the case of Mr. O'Donnell. I do not understand the distinction which the right hon. Gentleman the Chancellor of the Exchequer drew between that and the present case, and, on the contrary, I think there was aggravation, if I may say so, in the case of Mr. O'Donnell, because he did not stand alone. The House was then dealing with several offenders at the same time; the House was under the influence of a very serious quarrel, and they treated Mr. O'Donnell more severely than the other hon. Members whose conduct at the same time came under their cognizance. The offence of Mr. O'Donnell was that he charged the Chairman with "infamy," and that I venture to say was a far more serious offence than that which the hon. Member for the Camborne Division is now stated to have committed. But my noble Friend the Member for the Rossendale

Division of Lancashire (the Marquess of Hartington) has made a powerful appeal to the House with reference to the first Resolution—I am not sure how he followed up that appeal—by asking whether, in a matter of this kind, it was not very desirable that the House should, if possible, be unanimous in the decision at which it arrived. Now, I would also put it to the House whether the punishment of 14 days' suspension is not one on which the House might be with justice unanimous, and whether the suspension proposed by the noble Lord has not all the elements of injustice to the constituents of the hon. Member as well as the hon. Member himself. We have not yet heard from the right hon. Gentleman the Leader of the House—and I venture to appeal to him to make a distinct statement—as to what he considers to be the term of punishment that ought to be awarded in this case. If there are to be Autumn Sittings the suspension on the terms of the Motion of the noble Lord would last until near Christmas; if not, then the suspension would last for a month. The two periods are widely different, and the only Member who can advise the House in this matter is the right hon. Gentleman the Leader of the House. Now, Sir, I appeal to the right hon. Gentleman not to be a party to an uncertain punishment, which he knows is the very worst punishment. All modern ideas of punishment are concentrated on the one point that it should be precise and not vague, whereas the punishment proposed by the noble Lord is vague in the highest degree. We are prepared to accept the proposal of a fortnight's suspension, and I hope the right hon. Gentleman will accept that as absolutely adequate to the offence of the hon. Member.

SIR JOHN KENNAWAY (Devon, Honiton): Sir, I feel very strongly indeed the necessity of going on right lines in this matter, and not turning the sympathy of the country on the side of the hon. Member for the Camborne Division, and causing them to withhold the condemnation of the hon. Member's conduct which they will undoubtedly pass if we act rightly. I cannot agree with my right hon. Friend opposite that a fortnight's suspension would be sufficient; but I think the proposal made by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) originally—namely, that the suspension should be for the definite period of one month, which will carry us through the remainder of this part of the Session, is one which will generally commend itself to the House; but I am bound to say that I could not vote for suspension for the remainder of the Session.

MR. W. H. SMITH: Sir, I am not able to admit that the offence of the hon. Member for the Camborne Division is of less gravity than that of Mr. O'Donnell. Mr. O'Donnell was suspended for an act which he committed in the heat of the moment and in circumstances of great provocation. The offence of the hon. Member for the Camborne Division was deliberately committed after the original offence for which no proper apology had been made. There is an immense distinction between the two cases, and unless the House were to mark in a very signal way its resolve that it will insist on its Members maintaining those rules of conduct which are necessary for the dignity of its proceedings, there would no longer be any hope of their character being preserved. Upon the question of the measure of punishment, it appears to me that there is some reason in the observations of hon. Gentlemen who have complained that the proposal of my noble Friend is somewhat vague. I admit that in the present condition of the Business of the House there is a vagueness as to the duration of the Session, and I wish it were in my power to indicate as plainly as I know hon. Members are desirous that I should state, the time when the labours of the Session will come to an end; but I suggest that the object which my noble Friend seeks to attain will be secured if we substitute for the terms of his Motion a suspension of one month from the service of the House. That I think will mark the sense in which the House is prepared to regard a departure of this kind from its Rules.

SIR WILLIAM HARCOURT: Sir, the right hon. Gentleman the Chancellor of the Exchequer has argued that there is a distinction between the case of Mr. O'Donnell and that of the hon. Member for the Camborne Division, on the ground that the one offence took place in the heat of the moment, and the other is a repeated offence. Now, I ask the attention of the House to the circumstances that the punishment in Mr.

O'Donnell's case was for an offence deliberately repeated. As may be read in *Hansard*, Mr. O'Donnell said—

"With regard to my assertion, to my statement, to my solemn declaration—for I wish it to be understood that I made it in all solemnness and earnestness—that that statement which had been read to the House was an infamy. I mean that, and mean to include within that solemn declaration, the cowardly inciters to the force and tyranny which were practised against the Irish Members last Saturday, and I name Her Majesty's Government as the guilty authors."—(3 *Hansard*, [271] 1287.)

There is no withdrawal whatever of the charge of infamy on the part of the Chairman of Committees, and it was no statement made in the heat of the moment. Now, the real question is, why should you pass a more severe sentence on the hon. Member for the Camborne Division than was passed on Mr. O'Donnell? I think it is much to be regretted that there should be an endeavour to establish any severer rule in this case. Surely the Government will feel that it is of very great importance for us, if possible, to come to a unanimous decision; and that this matter should be the subject of a Party vote, I think is highly objectionable. What has been the temper and spirit shown in the debate? I confess I believe that, if the Government press for a severer sentence than that which, in accordance with the precedents of the House, has been passed in similar cases, they will be taking a course which will necessarily lead to a Party Division on this Motion. That would be very regrettable, and I hope the Government will take a course far more conducive, in my opinion, to the dignity of the House, and pass a sentence on the hon. Member for the Camborne Division more in accordance with Parliamentary precedent, and which would secure unanimous consent.

COLONEL NOLAN (Galway, N.): Sir, the right hon. Gentleman the First Lord of the Treasury, in comparing the offence of Mr. O'Donnell with that of the hon. Member for the Camborne Division, said that Mr. O'Donnell had received great provocation, and that his offence was committed in the heat of the moment. Now, certainly the provocation which the hon. Member for the Camborne Division received was very severe. The first point I refer to is that, in the words of the Chairman, the hon. Member for the Camborne Division was stopped in putting his Amendment on the second reading of a Bill by a Motion for closure. That Amendment had been on the Paper for three or four weeks, and such a proceeding was absolutely unknown. The second point is one which I do not think has been noticed in the course of the debate. Several Drainage Bills were brought forward by Conservative Members, and it is well known that the hon. Member for the Camborne Division objected to those Bills. Among others, the hon. Gentleman objected to the Bill of the noble Lord the Member for South Paddington (Lord Randolph Churchill). The noble Lord then moved that the Order for the Second Reading of his Bill be discharged, because it was objected to by the hon. Member.

LORD RANDOLPH CHURCHILL: That is not at all the reason. I did so because it was not possible to pass the Bill at this period of the Session.

COLONEL NOLAN: That may have been the reason of the noble Lord; but I am perfectly certain as to the words of the noble Lord, which were that—"In consequence of the opposition of the hon. Member, he would now move that the Bill be discharged." That is my recollection of the circumstance, and it is as distinct as that of the noble Lord's. I am only pointing out that the onus and responsibility for the withdrawal of the important Bill for the Bann Drainage having been thrown on the hon. Member for the Camborne Division, it became incumbent upon him to justify himself to the public. I put these points to the House simply to show that the hon. Member acted under great provocation—that a great deal happened last night which drove the hon. Member to write the letter; and, since the right hon. Gentleman the Leader of the House has spoken of the provocation which Mr. O'Donnell received, I think that the hon. Member for the Camborne Division deserves quite as much mercy as he says was extended to the former on that ground. I certainly hope this will not be made a Party question.

MR. HALLEY STEWART (Lincolnshire, Spalding): I should like to make an explanation which may enable the House to come to a decision upon this question. So far as the time at which the occurrence took place is an element in arriving at a decision, I may say that my hon. Friend the Member for

Camborne Division of Cornwall told me at 2 o'clock this afternoon, before he came into the House, that the letter was written that morning after the House rose, and was posted within an hour of the transaction to which it relates.

COMMANDER BETHELL (York, E.R., Holderness): I think not a few hon. Gentlemen who are sitting around me will agree with me when I urge the advisability, if possible, of somewhat diminishing the sentence proposed by the noble Lord the Member for South Paddington. I think that some hon. Gentlemen here would support the suggestion of the Leader of the House—namely, that a month should be substituted for the indefinite term of the noble Lord. Personally, I am not prepared to support the proposal of the hon. Member for Northampton (Mr. Labouchere), because it appears to me that the offence of the hon. Member for the Camborne Division is one of so serious a nature, and is such a direct insult upon Mr. Speaker, that it ought to be marked by a greater sentence than has been passed on other occasions. I hope, however, that the House will agree to modify somewhat the proposal of the noble Lord.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I hope that hon. Members opposite will recollect that there will be a very strong feeling outside the House when this matter is considered. We must bear in mind that the opinion outside the House of Commons is the opinion which supports the dignity of the House. I trust the House will take a more lenient view of this matter than has been suggested by the noble Lord. I believe there is no precedent for an accusation having been made and judgment passed upon the accused at the same time.

DR. TANNER: In consequence of the feeling which appears to prevail in the House at the present time, I venture to suggest the advisability of the adjournment of this debate. I make the suggestion because, to judge from the expressions of opinion within the last few minutes, it appears to me the House wishes to do what was once ascribed to a certain jury, who condemned a prisoner to death in order that they might dine. Dinner appears to be the uppermost notion in the minds of hon. Gentlemen opposite. Is it right or just to the constituency which is represented by the hon. Member (Mr. Conybeare)? Does it contribute to the dignity of this House that a question like this should be disposed of in this way? I have seen the Conservative Whips preventing Members from leaving the House. This Division, if one is taken, will be taken entirely and teetotally on Party lines. [*Laughter.*] Hon. Members may laugh, but if they, for a certain period, disfranchise a constituency, that constituency will consider it no laughing matter. It is no laughing matter that one of the Members of this House should be deprived of the privilege of sitting in Parliament for an indefinite time, for that is practically the question before the House. The First Lord of the Treasury has practically admitted that there is to be no Autumn Session. Hon. Members then endeavoured to ascertain for what period was the hon. Member to be suspended, and then, and then only, was there a little meeting between the First Lord of the Treasury and the noble Lord the Mover of the Motion. The First Lord of the Treasury, in order to endeavour to maintain his position before the House, and in order to endeavour to prevent his exposure before the country, wanted to get out of the difficulty of running away from his declaration that there should be an Autumn Session, and himself proposed that the hon. Member should be suspended for a month. Is that dignified? What have we seen to-night? We have seen the First Lord of the Treasury standing stammering in his place this evening. [MR. SPEAKER: Order, order!] I think that the position which this House at present occupies is one fraught with distinct danger to its own dignity. [*Laughter.*] Hon. Members may laugh; but I recollect an occasion, only last year, when I occupied a position very nearly similar to that occupied now by my hon. Friend the Member for the Camborne Division. I did not consider that a laughing matter, and, what is more, I would urge the importance of the present situation upon hon. Members opposite. Is it to go to the country that a Member is to be deprived of his privileges because he constitutes what some hon. Members may term an obstruction in the House? That is a matter the country will take notice of. Personally, I deprecate the idea of

this House coming to a decision in this matter upon distinctly Party lines. Hon. Members opposite will go into the Lobby in support of the noble Lord; while hon. Members on the Opposition Benches will go into the Lobby in support of the hon. Member for the Camborne Division. Accordingly, I beg to move that this debate be now adjourned.

MR. W. REDMOND seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Dr. Tanner.*)

MR. W. H. SMITH: I trust the House will not entertain the Motion for adjournment. There has been already, I think, sufficient consideration given to the subject, and we ought now to come to a decision. I wish to state to the House the course I propose to take with regard to the Amendment and the Motion. The Question you, Mr. Speaker, will put from the Chair will be, "That those words stand part of the Question." I shall vote for that Motion in opposition to the Amendment of the hon. Member for Northampton (Mr. Labouchere), and if my noble Friend's Motion becomes the substantive Motion I shall move a Proviso that the suspension shall not extend beyond one month.

LORD RANDOLPH CHURCHILL: On the point of Order, I would like to ask whether the House can be asked to suspend a Member for the remainder of the Session, no matter how long that may be off, and add a Proviso that in no case shall the suspension last more than one month? It appears to me that it would be a rather ridiculous thing to do.

MR. SPEAKER: It is a question rather for the interpretation of the House than a question of Order. If the House limits the suspension to one month, that Proviso could be added at the end.

SIR WILLIAM HARCOURT: I take it that what the noble Lord says is indisputable. It would be a grammatical absurdity to state that a Gentleman shall be suspended for the Session, and then add that he should be suspended for a month, unless we have an assurance from the Government that the Session—either the present or the adjourned Session—shall not exceed a month. It seems that the regular course would be either that the noble Lord should withdraw his Motion in favour of another Motion, or else that his Motion should be negatived. I take it that then the Motion of my hon. Friend the Member for Northampton (Mr. Labouchere) would become the substantive Motion, and that thereupon the Government could, if they liked, move that instead of for 14 days the suspension should be for a month. I hope the Government will take the course which will secure the unanimous vote of the House. In my opinion, that is the only course which is consistent with the dignity of the House, and I deeply regret that the Government, when they have the power of securing a result like that, should be parties to the imposition of a punishment for the severity of which I believe there is no precedent.

MR. P. STANHOPE (Wednesbury): I beg, Mr. Speaker, to call your attention to a point of Order. The Motion before the House is the adjournment of the debate.

MR. SPEAKER: There has been nothing contrary to Order as yet.

MR. P. STANHOPE: I think that the question requires further consideration on the part of this House, and I am certain that it requires a great deal more consideration outside this House. Hon. Members opposite will, I am sure, be the first to admit to-morrow, when they see the effect produced on public opinion, that they will be very unwise in taking up an attitude which can only be interpreted in the country as meaning that Irish Members are to be locked up in Ireland, and English Members are to be suspended from the service of the House.

MR. ARTHUR O'CONNOR (Donegal, E.): I think that if the House will consider for a moment or two it may be able to hit on two or three reflections in favour of the adjournment of this debate. Hon. Members will regret hereafter if any precipitate steps are now taken. The situation, in many respects, is a novel one. The majority of this House has declared already that the hon. Member for the Camborne Division has been guilty of a gross libel upon the Chair. That is a very serious matter, and this House would be unworthy of respect in any quarter if it failed to follow up a decision of that kind with some distinct step. It is necessary to the very existence of this House that it should vindicate not only its own autho-

rity, but the authority also of the Chair. But the majority of this House who came to that decision should remember also that they have placed the Chair in a position which, a little time ago, it did not hold. A little time ago, the Chair was as one amongst the Members of the House.

MR. SPEAKER: The hon. Member is not now speaking to the adjournment of the debate.

MR. ARTHUR O'CONNOR: I was in hopes of being able to show that these considerations I was raising are very germane to the Motion for Adjournment. But, however, lest I should be found to be wanting in deference to the decision of the Chair, I will pass from the point. What I would urge further is this—that the original circumstances from which the matter under consideration arose occurred, after all, only a very few hours ago—occurred late last night, or rather early this morning, at the end of a prolonged Sitting. Foot hot upon those proceedings the hon. Member for the Camborne Division wrote a letter. The paper upon which that letter was printed and circulated to the public was scarcely dry before the matter was sprung upon the attention of the House. It would be exceedingly hard if, under these circumstances, the House were driven into a precipitate course of conduct which it would afterwards have cause to regret. Another reflection, I submit, is this—that on previous occasions, before a Member has been sentenced to a punishment, he has always known what view the House took of his offence. On this occasion the hon. Member was directed to withdraw before he knew, and before he could know, what particular view the House would take of his offence. The House, since the hon. Gentleman's withdrawal, has come to a decision of a very serious character. It appears to me that to sentence the hon. Member for the offence now imputed to him, without his having had an opportunity of submitting himself to the judgment of the House, or of explaining the matter, would be strictly unfair. For every reason it is desirable to defer the decision in this matter.

MR. BRUNNER (Cheshire, Northwich): I think that if the right hon. Gentleman the First Lord of the Treasury will take a few hours to consider this matter, and adjourn the debate until to-morrow, he will find that a considerable majority of the Gentlemen sitting around him are in favour of a fortnight's, instead of a month's, suspension. If the right hon. Gentleman will throw overboard his mutinous follower (Lord Randolph Churchill) we will stand by him.

Question put.

The House *divided*:—Ayes 133; Noes 277: Majority 144.—(Div. List, No. 231.)

Question again proposed, "That the words 'remainder of the Session' stand part of the Question."

MR. BIGGAR (Cavan, W.): I understand, from the tenour of the discussion which has taken place, that the real purport of the question now really is, whether the suspension shall be for 14 days or 28 days? I do not know whether I ought to offer any advice—I think I will not—but, at the same time, I should like to ask the Government whether they think it is discreet to keep up a distinction between those two terms? What may take place? As pointed out before, the hon. Member for the Camborne Division may get elected for the Camborne Division again, and come in with a triumphant majority. That could not be a very pleasing thing for the Government, or for anyone who had been parties to this attack upon him. Even supposing the hon. Gentleman does not appeal to the electors of Camborne, he, at least, may attend political meetings in the meantime, and may denounce all parties concerned in these proceedings. I do not think that is a prospect that any of the parties concerned look forward to with any equanimity. I should like to state what I have heard since the last Division took place. At the present moment copies of *The Star* are selling in the streets at 6*d.* a-piece. That shows that the people outside are already taking the side of the hon. Member for the Camborne Division. The effect of that will be to discredit, not only the decision of the Speaker, but also the decision of the majority of this House. With reference to the Bann Drainage Bill, I may say that I did not communicate in any way with the authorieties of the House to the effect that no discussion was likely to take place. I have not the slightest doubt that a communication of some sort was made to Mr. Speaker, that it was probable that

the Bill would not be discussed by the Irish Members. But those sort of things are always uncertain and unreliable. I think that, taking everything into account, it would be well that a reasonable amount of discussion should take place on all important questions.

SIR CHARLES DALRYMPLE (Ipswich): I do not propose to follow the hon. Member (Mr. Biggar) in reference to the commercial transactions of which he spoke. I rise for a definite purpose. I believe that the feeling on this side would be met by the suspension of the hon. Member for the Camborne Division for one month. I believe that such a decision would be arrived at on this side without haste or heat; and, incredible as it may appear to the right hon. Gentleman the Member for Derby (Sir William Harcourt), I must say that the only fear we have is lest there should be an appearance of vindictiveness upon our part. Let me recall to the House what happened a short time ago when the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) spoke upon this question. Following the noble Lord the Member for South Paddington (Lord Randolph Churchill), the right hon. Gentleman clearly had never contemplated so short a period of suspension as a fortnight. When the right hon. Gentleman spoke he took exception, and very naturally and properly, to the vagueness of the period "until the end of the Session;" but plainly the right hon. Gentleman at that time never thought of anything short of a suspension until the period when the House was prorogued in August, or had adjourned in August with a view to an Autumn Session. I think, if I am not mistaken, the view of the right hon. Gentleman then expressed would be adequately met by the suspension of the hon. Member for one month. Certainly, I am confident, from what the right hon. Gentleman said, he never contemplated so short a suspension as a fortnight, and he only adopted that period, after hearing the speech of the right hon. Gentleman the Member for the Bridgeton Division of Glasgow (Sir George Trevelyan), in palliation of the offence of the hon. Member for the Camborne Division.

MR. FLYNN (Cork, N.): I think it is not advisable, after what has been said, to refer at any length to the proceedings of last night. Still, in considering the punishment to be inflicted in this case, it is absolutely necessary we should bear in mind the proceedings which led to an outbreak of temper on the part of the hon. Member for the Camborne Division. I sat behind the hon. Member last night. I was aware of the interest he took in the question. For weeks I have been in communication with him upon the subject, and have rather deprecated the Amendment he put down against the Land Drainage Bills. But I was perfectly well aware of his anxiety and eagerness in the matter; and, sitting behind him last night as I did, I must confess that he felt at the time extremely indignant at what he believed to be a misapplication of the closure. I think that the House, in deciding between a month's and a fortnight's suspension, should also recollect that the letter must have been written at an early hour this morning, while the hon. Member was still labouring under excitement, and still fresh from the rather painful scene which had occurred. The letter appeared in the early edition of *The Star* newspaper; and, therefore, it must have been written between 2 and half-past 2 o'clock this morning, immediately after the House rose. I do not think it will add to the dignity of the House—certainly it will not add strength to the Government—if they take such advantage of the hon. Member for the Camborne Division as to inflict a severe sentence upon him. It will be impossible to remove from the minds of his constituents the idea that there is another reason behind this proceeding besides that of punishing him for the offence he has committed. It will be impossible to remove that opinion from the minds of the people of Camborne, and I fear that a suspicion of vindictiveness in these proceedings will be entertained by people outside the district of Camborne. I appeal to the Government to act sensibly in this matter, to lean to the side of moderation, to accept frankly and at once the proposal of the hon. Member for Northampton (Mr. Labouchere), and be content with inflicting the punishment of suspension for a fortnight upon the hon. Member for the Camborne Division for what he did in the heat of the moment, and for doing what I am sure he did out of a sense of public duty, and out of a

sense of the duty he owed to his constituents.

MR. ILLINGWORTH (Bradford, W.): I wish, before we come to a decision, to make an appeal to the noble Lord the Member for South Paddington (Lord Randolph Churchill). I am not aware whether the noble Lord, in making this Motion, had in his mind the prospect of an adjourned Autumn Session. If he had no such idea, then probably it was not his intention that the hon. Member for the Camborne Division should be suspended for more than a month. I should be very glad if the noble Lord would assure us he had no wish that an extreme or a vindictive sentence should be passed on the hon. Member. The hon. Member for the Camborne Division speaks from a place with which the noble Lord is very familiar. Many of us remember when the noble Lord occupied that position, and when the noble Lord tried the patience of hon. Members of his own Party very sorely. Besides, it is not to be forgotten that the hon. Member for the Camborne Division is a new Member of the House. That, at any rate, is a reason why he should not be proceeded against with any very great severity. I think the House of Commons will have secured everything the case calls for, if they unanimously decide in favour of a fortnight's suspension, rather than there should be what must show itself to the country as nothing but a Party vote, if a month's suspension is insisted upon. We, on this side, hold that the hon. Member has not exceeded the irregularity of Mr. O'Donnell when he was in this House, and in which case the punishment of a fortnight's suspension was inflicted. It cannot be disguised from the House that there were many Members sorely grieved and disappointed at the action taken by the hon. Member for South Antrim (Mr. Macartney) in moving the closure upon the Drainage Bill last night. It is a very unfortunate thing if, upon the second reading of a Bill, all discussion is to be stopped. By the course taken by the hon. Member for South Antrim, many of us were precluded from taking part in the debate. I can easily understand that the hon. Member for the Camborne Division was, under such circumstances, moved to do that which in a cooler moment he would not have done. Under all the circumstances, I trust that we shall be saved from a Party Division, and that it will be unanimously agreed that a fortnight's suspension, rather than a month's, should be the extent of the punishment inflicted upon the hon. Gentleman.

MR. CUNNINGHAME GRAHAM: Mr. Speaker, in rising to support a fortnight's suspension rather than a month's, I can fancy you in your Chair, Sir, are saying the old proverb——

MR. SPEAKER: Order, order!

Question put.

The House *divided:*—Ayes 229; Noes 152: Majority 77.—(Div. List, No. 232.)

Main Question again proposed.

MR. W. H. SMITH: I now beg to add to the Motion the words "or for one calendar month, whichever shall first terminate."

Amendment proposed, at the end of the Question, to add the words "or for one calendar month, whichever shall first terminate."—(*Mr. W. H. Smith.*)

Question proposed, "That those words be there added."

DR. TANNER: There is a little ambiguity about the word "month." Is it to be a calendar month or a lunar month? I beg to move the insertion of the word "weeks." The vote just taken has been taken on distinct Party lines. Every Conservative went into the Lobby against the hon. Member for Camborne, while we went for him. I admit the victory of hon. Gentlemen, who have gone against a Member of this House out of pure spite and spleen.

SIR WILLIAM HARCOURT: Of course, we cannot oppose the Motion made by the right hon. Gentleman, because it goes in the direction of a limitation of the Motion of the noble Lord the Member for South Paddington; but, at the same time, we cannot assent in any way to a Motion which is contrary to the opinions we expressed in the last Division. Therefore, it must be distinctly understood we maintain our protest against this sentence on the hon. Member for the Camborne Division. We think it exceeds the necessities of the case, and that it transgresses Parliamentary precedents by which we ought to be governed. Reference was made

to what fell earlier in the evening from the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone); and I think it therefore right to say that, although he was obliged to leave the House a short time ago, he paired in favour of the Motion reducing the sentence to a fortnight's suspension. His opinion, therefore, is contrary to the decision at which the House is about to arrive—namely, to inflict a punishment which we consider altogether excessive. We shall, of course, take no part in this vote.

Question put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Resolved, That Mr. Conybeare, Member for the Camborne Division of Cornwall, be suspended from the service of the House for the remainder of the Session, or for one calendar month, whichever shall first terminate.

ORDERS OF THE DAY.

—o—

SUPPLY [1st June].—REPORT.

[ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [12th July], "That this House doth agree with the Committee in the said Resolution."

Question again proposed.

Debate *resumed.*

In answer to Mr. OSBORNE MORGAN (Denbighshire, E.),

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he had postponed the Vote at the request of the hon. Member for Caithness (Dr. Clark), who had given Notice of an Amendment. The Vote would be taken on Monday as the first Order of the Day.

Debate *further adjourned* till *Monday* next.

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS II.—SALARIES AND EXPENSES OF CIVIL DEPARTMENTS.

(1.) £24,701, to complete the sum for the Charity Commission.

Sir William Harcourt

MR. BRYCE (Aberdeen, S.) said, he desired to take the opportunity of asking two or three questions with regard to the work of the Charity Commission. In the first place, he was anxious to know what progress had been made with the work of the Parochial Charities branch, and when they might expect to have some scheme laid before the House in pursuance of the provisions of the Act of 1883? He would also like to know whether it was probable that the work of the Commission would be completed within the time originally fixed by the Act? He also wished to hear something with regard to the grants of money which the Commission had already promised to make to various institutions. He did not for a moment doubt the judgment of the Commissioners in the matter. The appointment of Mr. Anstie was most fortunate, and everyone who had had occasion to watch his work felt great confidence in the judgment and knowledge he had shown; but, at the same time, they had seen so many statements in the newspapers of applications made to the Commissioners, and of encouragement given by the Commissioners, that one became a little anxious to know how large a part of the total sum governed by the Act—and especially of that part of it which was applied to secular purposes—had been virtually promised by the Commissioners, and how much remained to meet the needs which might be expected from time to time. They had heard particulars of the various promises made to grant sums of money in aid of different institutions for promoting technical education. That was certainly an admirable object, an object which had come into particular favour during the last three or four years, but it was not an object which had primarily a particularly strong claim on charity funds. It was an object which could be met, as was proposed in the Bill the Government had withdrawn, by the general law—it was an object for which they might very properly draw from certain funds which already existed in London altogether unconnected with these charities. Therefore, those of them most interested in the parochial charities' money and its distribution felt no particular wish to see a very large proportion of that money applied to purposes like that of

technical education. He felt that those objects which, perhaps, had the greatest claim on those charity funds were objects which were more specifically in the interest of the poorer classes of the community. It was especially with the view of making the lives of the poorer classes better and happier, and of affording such classes greater opportunities of recreation, that these funds ought to be applied. He felt that particularly with regard to such objects as recreative schools, recreation grounds, and open spaces. He hoped they would be told that night that the Commissioners were paying full attention to such objects, that in making promises in support of technical education they were not forgetting the numerous other objects which had an equally strong claim upon them. It ought also to be borne in mind that there were a great many objects for which it was impossible to provide at the very moment. It would be a great pity if all the money were spent at once, if there was not to be reserved such a balance as would enable the needs of future years to be properly provided for. He trusted that these considerations, all of which arose from the Act itself, would be fully borne in mind by the Commissioners, and that the Committee would be told to-night when they might hope to receive the schemes, and when they might expect the work, to which the Commissioners had devoted themselves with so much energy, would be completed.

MR. J. W. LOWTHER (Cumberland, Penrith) said, he was happy to be able to give the hon. Gentleman the particular information which he desired. The first of the parochial schemes —namely, that which affected the parish of St. Botolph's, Bishopsgate, was recently considered by the Board, and they hoped very soon to publish it. Of course, a good deal of time had been taken up in the consideration of the first scheme, because it would form, to a considerable extent, a precedent with regard to the others. That might, perhaps, account for the slight delay which had arisen. The hon. Gentleman asked him whether all the business would be concluded before the powers of the Commission under the Act expired? It was the hope of the Commission that that might be so. Of course, as the hon. Gentleman would see, a great deal would depend upon the amount of voluntary assistance which was forthcoming in connection with the Polytechnics to be established in the North, South, and South-West of London. If money were readily forthcoming, and the amounts were rapidly made up, it would, of course, assist the Commissioners very much in the preparation of the schemes, and they would be able to get them done much more quickly than if they had to wait for money and larger subscriptions to come in. The hon. Gentleman had referred to the question of technical education. The Polytechnics, which it was the intention of the Commissioners to establish in the different parts of the Metropolis, did not contemplate technical education alone. Technical education would only form a portion of the subjects which the poorer classes would be able to be brought in contact with in the Polytechnics. For instance, there would be swimming baths, gymnasiums, reading rooms, orchestras, choral societies, and a variety of amusements, to say nothing of cricket and bicycle clubs, and other clubs which, having this nucleus, would very likely come into being. Therefore, the whole of the money would certainly not be spent in technical education. In regard to the grants for the special objects as to which the hon. Gentleman asked a question, perhaps it would be most convenient if he (Mr. J. W. Lowther) stated generally the manner in which the Commission proposed at present to expend the funds which would be at their disposal. The hon. Gentleman, no doubt, remembered that by an Act of Parliament the sum of £50,000 out of the money at the disposal of the Commissioners was allotted to the purchase of Parliament Hill. That money was gone, so to speak; and in the case of the Clissold Park, Stoke Newington, £47,500 was the sum similarly taken. In addition to that, the Commissioners proposed to spend on open spaces, £10,000 on North Woolwich Gardens; a sum of £12,500 upon Carroun House, Vauxhall, which was a third of the total amount which was to be given for the estate; a similar sum of £12,500 towards the Rayleigh Park, Brixton, which was one-third of the total price of the land, making a total amount spent on open spaces of

£132,500. As to the Polytechnics, of course, the decisions of the Commissioners were not absolutely final until they were embodied in the schemes which would have the force of law; but at present it was under consideration to spend £85,000 in giving subventions to the People's Palace, which would make a sum roughly of £2,500 year by year, as an endowment of that institution. It was also proposed to give a similar sum of £2,500 a-year to the Polytechnic in Regent Street, which, as the Commission knew, had been founded and sustained mainly by the energy and public spirit of Mr. Quintin Hogg. With regard to the three large parishes which were specially mentioned in the Act, it was proposed to devote a sum of about £200,000 towards the needs which arose in those parishes. As the hon. Gentleman knew, the proposal of the Charity Commissioners was to give in South London up to £150,000 a pound for every pound subscribed. In that way they hoped to get such a sum as would enable them to establish three Polytechnics in South London—he called them Polytechnics for want of a better general term. In addition to that they proposed to give a sum of £50,000 in the same way, giving a pound for every pound subscribed, towards a Polytechnic in Chelsea, which would cover the South West district of London, north of the River. He was glad to say that most of these matters had been very warmly and very generously taken up by the inhabitants of the localities, and by many generously-disposed persons. The only proposal which apparently seemed to at all hang fire was that with regard to the Polytechnics in North London. He believed that the hon. Baronet the Member for one of the Divisions of St. Pancras (Sir Julian Goldsmid) was interesting himself in the matter; in fact, he believed a Committee had been formed of Members of the House, representing various portions of North London, to consider this very important question. The Charity Commissioners had money at their disposal, and they were anxious to spread it over the whole of the Metropolis in the fairest possible manner. The Commissioners felt, as to North London, that if it had not a greater claim it certainly had as great a claim as South London to be dealt with in this matter, and they made a similar proposal to the people of the North as to the South. He presumed, however, that the feeling in North London was not so concentrated and so localized as it was in South London, and that, therefore, the proposal of the Commission had not been so warmly taken up. He hoped, now that attention had been called to the matter by the Committee which the hon. Baronet had got together, proposals might be made by that Committee which the Commissioners would be most happy to reciprocate. There was a considerable sum left over which it was intended to hand over to the general Governing Body when that Body was established. About £5,500 per annum would be at the disposal of the general Governing Body to make just such grants as those to which the hon. Gentleman referred. They would have that sum at their disposal as soon as they were formed. But, in addition to that, he reminded the hon. Gentleman that as the pensions which were necessarily created under the Act as vested interests fell in, so more and more money would become available for such purposes as the general Governing Body might think most useful in the direction which the hon. Gentleman had indicated. He thought he had now dealt with all the points the hon. Gentleman had raised, but he should be happy to give the hon. Gentleman whatever further information he desired.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

Mr. PICKERSGILL (Bethnal Green, S.W.) said, he wished to reserve his judgment respecting the statement made by the hon. Member for Penrith (Mr. J. W. Lowther) until he had had more opportunity of considering it. As far as he could gather, the hon. Member had not expressed any very definite opinion as to whether the work of the Commission would be completed by December, 1889, the date which had been fixed for the termination of its labours; and he should be glad if the hon. Gentleman could make a clearer statement on that point. He should also be glad if the hon. Member could place in the Library of the House copies of the statements prepared by the Commissioners respecting the property of the City charities. One of the duties of the Commissioners

was to frame schemes for the better application of the funds of the City charities. It appeared to have been contemplated that schemes would be issued from time to time before the inquiry was completed, and he understood that one scheme was shortly to be published. But from the Annual Report of the Commissioners he did not derive very strong hopes that the work of the Commission was approaching its completion, and this appeared to be specially the case with regard to ecclesiastical property. He hoped the hon. Member for Penrith would see his way to place in the Library of the House copies of all schemes, as they were issued, as well as of the statements drawn up by the Commissioners.

MR. J. W. LOWTHER said, he knew that Mr. Anstie, the Commissioner who was specially charged with this part of the business of the Charity Commission, was greatly impressed with the desirableness of completing his work by December of next year. Several of the schemes depended for their execution not merely on the Commission, but, to a considerable extent, upon the readiness of the public to come forward with subscriptions to assist the Charity Commission in framing schemes sufficiently wide in their scope to meet the general desire. He thought there would be no objection to placing copies of the statements in the Library of the House of Commons. The Commissioners did not yet know the exact amount that would be available under several of the schemes, because appeals in the Chancery Division were still pending, and until they were decided they could not say what was available and what was not.

MR. JAMES STUART (Shoreditch, Hoxton) said, that a short time ago Mr. Anstie, replying to the statements made by a deputation which waited upon him on the subject of establishing Polytechnics in London, said it was intended to open one in Bishopsgate Street. He wished to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether it was still intended to provide such an institution in that neighbourhood; and, if so, what was to be its character? He desired to impress upon the hon. Gentleman and his Colleagues the expediency of some section of the technical work in such an institution being connected with the cabinet-making trades, which flourished greatly in that part of London, and were much in need of such assistance. Cabinet-making which found its way all over the world was done in that part of London, and the cabinet makers there were consequently brought into constant competition with foreign countries, in many of which good systems of technical education were in force. Under these circumstances, he thought it would be a great boon to that part of the Metropolis if the suggestion he had made could be carried out. He, also, desired to know whether there was any reasonable prospect of a Polytechnic being set up in that part of North London which was traversed by the Kingsland Road?

MR. J. ROWLANDS (Finsbury, E.) said, he thought the hon. Member for Penrith was rather unfair to the general public when he said that some of the schemes depended for their execution more on the public than on the Charity Commissioners. In North London people had not been negligent in making representations to the Commission, but they had not yet obtained any definite scheme from the Commission. A few weeks ago representations were made to the Commissioners as to what the centre of London was prepared to do. The Commissioners did not, in reply, recommend any scheme, but said that people in North London must be prepared to take action with regard to a larger area. Before long the Commissioners would have an opportunity of dealing with a larger area, as negotiations were now going on upon the subject. What he wanted, however, to impress on the Charity Commissioners was that they must not think they could dictate terms as to how much money could be raised in certain parts of London. During the last 12 months the public of London had responded very liberally to appeals made by some of the institutions which had already obtained their endowments. The fact that the People's Palace in the East End and the Polytechnic in Regent Street had already obtained large sums from the public showed that the resources of the public in these matters had been to some extent exhausted. There were some people who would have to fight the Commissioners very severely for the funds the latter were administering unless the Commissioners met them very generously. After all,

the money was the money of the people of London, and they must do the best they could with it. Some of them were prepared to try and raise as much money as they could to supplement that which was provided by the Commissioners; but it was of no good for the Commissioners to place before them some scheme which could not be carried out. The hon. Member for Hoxton (Mr. James Stuart) had referred to the importance of technical education to the cabinet trade. He (Mr. J. Rowlands) represented a constituency in which there were a series of industries which required a thorough system of technical education—namely, the watch and jewellery trades. These trades had languished for want of technical education; and if those who were engaged in them did not meet the schemes of the Commissioners it was not because they were indifferent to the importance of having the best possible technical and recreative institutions in their midst, but because they had not among them wealthy persons who could give sites worth £20,000 or large sums of money. They had to depend upon gentlemen who were not located in the neighbourhood, and he was afraid they would not always be able to get those gentlemen to meet them in the spirit in which they ought to meet them, considering the value they got out of the North London property. It was a mistake to suppose that the people of London did not desire to meet the Commissioners; but, at the same time, they wished to know clearly and distinctly what the schemes were.

Mr. ILLINGWORTH (Bradford, W.) said, the other day the hon. Member for Barnsley (Mr. C. S. Kenny) raised a question with respect to Holloway College, and showed that there had been on the part of the Charity Commissioners neglect of an obvious duty with regard to the composition of the Governing Body. It was notorious that the late Mr. Holloway had a horror of anything like sectarianism, and his resolve in setting aside a large sum of money for his grand educational institution was that no sectarian advantage of any kind should be associated with its management. He believed it was felt that his hon. Friend (Mr. C. S. Kenny) had made out his case in that respect; but the hon. Member for Penrith (Mr. J. W. Lowther) told the Committee that it was not the practice of the Commissioners to inquire into the religious faith of any Governors who might be appointed. If that was the case, it was an extraordinary change in the policy of the Commissioners. Some time back nothing was more common or notorious than that the greatest regard was paid by the Commissioners, in the case of certain Church endowments, to the appointment solely of members of the Church of England to the Governing Body. In 1883 the late Lord Lyttelton, who was the Chairman of the Endowed Schools Commission, admitted that nothing was more common than for the Commissioners, in making an appointment, to have regard to the fact that the candidate was or was not a member of the Church of England.

The CHAIRMAN: I ought to point out to the Committee that the policy of the Charity Commission in this respect was discussed at great length at a previous Sitting, and a decision was taken. It would be rather perilous to re-open precisely the same question, because the Vote itself is not concluded. I would also point out to the hon. Member that he is now quoting evidence as to the action of the Endowed Schools Commission, which ceased to exist, and had its powers transferred to the Charity Commission three years ago.

Mr. ILLINGWORTH said, he did not wish to detain the Committee long, but as the hon. Member for Penrith stated that it was the policy of the Commissioners not to inquire into the religious opinions of Governors, he desired to know whether he adhered to that statement?

Mr. J. W. LOWTHER said, in reply to the hon. Member for Hoxton (Mr. James Stuart), he had to state that he believed it was in contemplation by the Commission, at all events, to assist in setting up some institution in St. Botolph's, Bishopsgate, and that this might provide the instruction which the hon. Member wished for. In reply to the hon. Member for East Finsbury (Mr. J. Rowlands), he could only say that the Commission was most anxious to help those who helped themselves. If the people of any locality should desire to have polytechnics, the Commission was very ready to assist them. In distributing the funds, however, the Commission would bear in mind that they had to distribute evenly, as far as they

could, over the whole of London. With regard to the question put by the hon. Member for Bradford (Mr. Illingworth), it was perfectly true that the Commissioners did not inquire into the religious views of the gentlemen who were appointed Governors of Holloway College. If, however, a trust were of a denominational character, he conceived it would be the duty of the Commission in certain cases to inquire into the religious views of those whom they appointed. Where a trust was not of a denominational character, it had been the custom of the Commission not to inquire into the religious belief of those who were appointed.

MR. HENRY H. FOWLER (Wolverhampton, E.) said, he wished to call attention not to the question of the income of the Commissioners, but to the relationship subsisting between them and the taxpayers of the country. The entire Vote which had to be put from the Chair for the forthcoming year was about £36,700. To that had been added the sums mentioned in a Vote in the Estimates, amounting to £5,194. This made a total of something like £41,800. The City of London parochial charities accounted for nearly £4,000 of this sum, and as this had to be repaid out of the funds of the London charities he put down the net charge at something like £37,000. This was a growing charge, and it was growing very rapidly. It had been the subject of very frequent discussions in that House. He did not wish to go into details. The great bulk of the charge, or over £31,000, went in salaries alone. These salaries were on a very liberal scale. There were a large number of very highly paid clerks, and 21 lower division clerks, whilst the sum of £1,900, representing about £40 a-week, was charged for copyists. He contented himself with merely calling the attention of the Secretary to the Treasury to this matter, and expressing the opinion that strict supervision ought to be exercised. The main question, however, to which he wished to direct attention was this—Was it right or proper that this money should be voted out of the public funds at all? Why should the taxpayers be called upon to pay the expense of the Charity Commission? Charities had permanent duration; they had special protection, and were subject to special control. The Charity Commission, by a very simple procedure, afforded to charities the relief and protection which could formerly only be obtained through the Courts of Law at great cost to themselves. It appointed new trustees, settled schemes, gave advice, made vesting orders, and did various other things for charities at the public expense. Could this state of things be defended, or ought it to continue? This was a very old controversy, and he should have to trouble the Committee with a brief reference to it. Men of much greater experience than himself, and men who were much more competent to deal with the question, had been calling the attention of the House to it for several years, and successive Governments had pledged themselves to deal with it. As far back as the year 1868, the present Sir Gabriel Goldney, then a Member of the House of Commons, called the attention of the House to the great cost which the Commission was even then incurring, although the expenditure was not then half as much as it was now; and he moved a Resolution expressing the opinion that the cost of the Commission ought not to be borne by the public. That Resolution was seconded by his right hon. Friend the present Member for South Edinburgh (Mr. Childers). The right hon. Gentleman spoke strongly in favour of it, and there was a general opinion in that House in its favour; and the late Lord Beaconsfield was the Chancellor of the Exchequer. Seeing that the Committee was strongly in its favour, an Amendment was moved, the Chancellor of the Exchequer saying that he was ready to assent to the Motion if the word "entirely" were added before the word "borne," meaning that the entire cost should not be borne by the public, but that the Commissioners should bear their proportion. The right hon. Gentleman opposite the present Chancellor of the Exchequer (Mr. Goschen) hoped that the word "entirely" would not be agreed to, as it would invite the inference that the charge should be borne partly by the public. Nothing came of that Resolution, which was carried by a narrow majority. In 1871 the question was brought before the House by Mr. Andrew Johnston, who proposed that the Income Tax should be levied on charity funds. Mr. Lowe, now Lord Sherbrooke, who was then Chancellor of the Exche-

quer, expressed a strong opinion in favour of the Income Tax being imposed upon charities, and practically that opinion was accepted. In 1879 the matter was again brought forward by the hon. Gentleman the present Member for Gateshead (Mr. W. H. James), and an interesting debate ensued, in the course of which the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) spoke, as he had done in 1871, against the public being charged with this payment in respect to the charity funds. He should like to quote the figures given to the House in that debate by Sir Gabriel Goldney. He said that the property of the charities in this country yielded £4,000,000 a-year, and had increased to the extent of £750,000 during 12 years, and he added that they were so nursed by the country that they were exempt from paying Income Tax and other duties; and that the charity fund, if capitalized, would amount to something like £130,000,000. To his (Mr. Henry H. Fowler's) mind that was an excessive figure; but, at any rate, whatever the amount was, there was a strong feeling on that occasion in favour of this charge to the State ceasing. Sir Stafford Northcote, who was then Chancellor of the Exchequer, declared that it was desirable to meet the expenses of the charities out of their own funds, and said that there was no means by which they could do so without imposing a small tax for that purpose. He undertook to deal with it, and in 1879 a Bill was brought in under the auspices of the then Secretary to the Treasury, now, he believed, the Member for one of the Divisions of Essex (Sir Henry Selwin-Ibbetson). That right hon. Gentleman proposeda scheme to the House and to the country. Well, there was a great gathering of the clans against that Bill. Deputations waited upon Sir Stafford Northcote at Downing Street, and it seemed that the world would come to an end if the charity were deprived of this subsidy from the State in addition to the income they enjoyed. The Government happened to be *in extremis* at the time, and in the result they declined to fight the charity interests of the country, and the Bill was withdrawn by Lord Beaconsfield's Government. The question then slumbered until 1884, when he (Mr. Henry H. Fowler) had the honour to bring it before the attention of the House. He had drawn the attention to the fact that at that time there were £11,000,000 in Consols standing in the name of the official trustees, and in this very Vote they were called upon to agree to that night there was a sum of £150 to one of these gentlemen as being one of the official trustees of the charity funds—the country paid this sum to this gentleman for being a nominal trustee for these enormous charity funds, which were placed wholly under the control of the Commissioners. There was an interesting debate on the question that evening, and the then Secretary to the Treasury — who was, he thought he might say without disparagement to the hon. Gentleman opposite (Mr. Jackson), the ablest Secretary who had filled that post during the present generation—(Mr. Courtney) said that—

"As to what had fallen from the hon. Member for Wolverhampton (Mr. Henry H. Fowler) and the hon. Member for Chippenham (Sir Gabriel Goldney), there could be no doubt whatever as to the justice, and he might almost say as to the necessity, of taxing the charities to an extent which would at least cover the expenses of the Commissioners."

Well, that Secretary to the Treasury, strong as he was, had the excuses that all Secretaries to the Treasury urged. He said—

"No one could doubt that at the fag end of a Session, or the fag end of a Parliament, it would be a very difficult thing to carry a measure upon the subject through the House."—(3 *Hansard*, [290] 1529-30.)

Parliament was then about to deal with the question of the franchise; the Parliament was a dying Parliament, and it was not disposed to take up this question of charity funds. After the Dissolution at that time there followed several reconstructions of the Government, and during one of those reconstructions he (Mr. Henry H. Fowler) was Secretary to the Treasury, and he had intended, if he had remained in the Office, to have done his best to tackle the question. It was a question which in theory it seemed simple enough to deal with; but no one knew better than he did that if the Chancellor of the Exchequer endeavoured to deal with it would have a difficult task before him. It would be a task of enormous difficulty to proceed by means of a complete scheme; but the principle he wished to

urge was this—that the cost of this great, expensive, powerful, and valuable establishment which was carried on for the control and management of our charities, the jurisdiction of which he should like to see very much extended and its powers very much increased, ought not to fall on the general public. To his mind the cost should be defrayed by the charities themselves for whose benefit the establishment was carried on. That was all he desired to say. He knew the time was valuable. He was not going to try to enforce this argument, unless he heard something stated in opposition to it, which would necessitate a reply. He wished simply to state the proposition he had laid down. It had received the sanction of, he thought, every statesman except the noble Lord the Member for Paddington (Lord Randolph Churchill) who had held the Office of Chancellor of the Exchequer. No financier had disputed it; the House of Commons had approved of it; and although he admitted that it involved great administrative difficulty, he held it to be one which the present Treasury had had strength and ability enough to deal with if it chose. This was the position which he wished to submit to the House, and he was glad that the right hon. Gentleman the Chancellor of the Exchequer was able to be in his place that evening. He trusted the right hon. Gentleman would give them his views on the question, and that they would have such an expression of opinion from him as to lead them to entertain the hope that, at all events, he would, in the course of the forthcoming Recess, endeavour to deal with the matter and see if he was not able to lay down a complete scheme, or, at all events, the broad outlines of a scheme, which would apply to the charities the principle which he (Mr. Henry H. Fowler) had laid down, and which he should like to see conducted, not only in connection with charities, but in connection with every other Department—such as the Land Register Office.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he was very glad that the right hon. Gentleman had brought this matter before the attention of the Committee, and he regretted that there were so few Members present, as he should have been glad for the sound views of the right hon. Gentleman on this question to have been heard by a larger number of the present Members of the House. One word with regard to the observations the right hon. Gentleman had made as to the cost of this Establishment. The right hon. Gentleman had called attention to what he had criticized as the somewhat extravagant nature of the Establishment, and the large number of highly-paid officers who were engaged in the work of superintendence of these charities. He (Mr. Goschen) would not enter into the question as to the degree to which the observations of the right hon. Gentleman were justified.

MR. HENRY H. FOWLER said, he had not used the word "extravagant," but the words "costly and expensive."

MR. GOSCHEN: Yes, yes; "costly and expensive," rather than "extravagant;" but the difference between "costly and expensive" and "extravagant" was one rather of appreciation than of fact, for that which was expensive generally deserved that description in consequence of extravagance somewhere or other. The right hon. Gentleman, at all events, suggested that the Department was not an economically managed one. Well, he (Mr. Goschen) did not wish to pursue this matter; but in this regard he only wished to point out that the Government were powerless to reduce Establishments, because the House had decided that reductions were not to be made unless employment could be found for the redundant officers who were removed from the over-manned Department. But this was not the point of the interesting speech of the right hon. Gentleman. His point was that the charities should bear the cost of the Establishment which had been formed precisely in order to administer them, and to afford them valuable help and privileges. He was entirely of the opinion of the right hon. Gentleman that the charities did possess valuable privileges. The Legislature had created a costly machinery for assisting in their administration, and the taxpayers of the country generally paid a large sum for this laudable object. Opinions differed as to the degree in which the charities should bear the expense of this control exercised over them. The right hon. Gentleman had stated that most Chancellors of the Exchequer agreed that the charities ought to contribute largely

to the cost of the Commission, if they did not defray the cost entirely; but he doubted whether there were at that moment five Members present in the House who would endorse the views of the right hon. Gentleman. There was the right hon. Gentleman himself; there was his (Mr. Goschen's) hon. Friend the Secretary to the Treasury (Mr. Jackson), there was the hon. Gentleman who occupied the Chair (Mr. Courtney), and who had some time ago so ably discharged the duties of Secretary to the Treasury, and there was himself (Mr. Goschen). But when it came to the question of sentiment *versus* the just economic principle of taxing charities, he doubted very much whether the principle would obtain much support from either side of the House. ["Hear, hear!"] He should be very glad to hear a louder murmur of assent from the Benches opposite; but hitherto failure, as the right hon. Gentleman had pointed out, had attended every effort made by successive Governments, by successive Chancellors of the Exchequer or Secretaries to the Treasury, to put any burden whatever upon charities. The House of Commons was favourable to the idea in the abstract; but as soon as the charities began to organize demonstrations the valour of the House of Commons disappeared. If the Government were to begin to tax charities, he was afraid he would have much longer processions waiting upon him than even those got up by persons interested in the Wheel and Carriage Tax. There was no subject that seemed to excite some hon. and right hon. Gentlemen more than did any attempt to diminish, in the slightest degree, the revenues of our great charities and charitable institutions. Whatever Chancellor of the Exchequer laid an unhallowed finger upon any of these revenues was immediately exposed to an opposition such as not even the genius of the right hon. Gentleman the Member for Mid Lothian had hitherto been able to overcome. He was glad the right hon. Gentleman opposite had raised this question, and he (Mr. Goschen) would undertake to examine into the best modes of securing some contribution from charities towards the general taxation, and he should be glad if support could be secured in advance for such a proposal; but he was bound to say, with the experience of the past, the prospect was not a very cheerful one. Hitherto all attempts had failed. The efforts to relieve the State from the cost of dealing with charities began substantially in 1844. In 1852 a general rate of 2*d.* in the ponnd on the gross annual income of every charity exceeding £10 a-year was proposed; but objections were taken by the large hospitals of the country, and they entirely overcame the resolution of the Government, and nothing was done. In 1863 the right hon. Gentleman the Member for Mid Lothian proposed to repeal the exemption of charities from the Income Tax, and this was one of those several occasions on which the right hon. Gentleman displayed the whole of the resources of his rhetorical and economical genius, but he failed to persuade the House to tax the charities. In 1864 and 1865 it was proposed that a Stamp Duty should be imposed on all orders and certificates issued by the Commissioners, and on the annual accounts rendered to them by trustees of charities; but the proposal was negatived without a Division. In 1869 a clause was inserted in the Charitable Trusts Act of that year, in pursuance of the Resolution passed on the Motion of Sir Gabriel Goldney, empowering the Treasury to fix a scale of fees; but nothing came of that. No scale was drawn up, as the Commissioners represented that the amount leviable would be too small to trouble about. In 1871 a Resolution was passed in favour of subjecting charities to Income Tax, but no action was taken upon that; and what happened in 1874 had already been stated by the right hon. Gentleman. In face of all these failures, and of the extreme reluctance on the part of the Government as well as Members of the House to take anything from the charities, it would be too sanguine to expect any great result from an attempt to exact from charities the fall amount of taxation they should pay. But if he remained in Office he did not know that he should shrink from making the attempt, at any rate, to tax the larger Charity Corporations. The right hon. Gentleman opposite stated that the Government had a great deal of force behind them; but hon. and right hon. Gentlemen on the Ministerial side of the House were swayed by sentiment with regard to charities, just as much as hon. and right hon. Gentlemen in any

other part of the House, and he was afraid that it would not be in the power of the Government to carry out the object the right hon. Gentleman had in view. His desire was that the charities should be made self-supporting; but there was not only a difficulty of principle in the matter—a difficulty in regard to which he was afraid they would find much opposition—but there was also much difficulty of detail, particularly in devising some system which would not weigh unduly on the smaller and on the weaker charities. Taxation would not press so much on the larger charities, which might be able to bear the expense of their management. But this would not be the case with all the smaller charities. In response to the challenge of the right hon. Gentleman, he had to say that he should be glad to further investigate the subject, and if he thought there was sufficient prospect of support on the other side, he would be glad to consider whether or not some contribution should not be made by charities in respect of the cost of their management, as the way in which this cost was at present defrayed was a burden upon the general community for the purpose of relieving charities which went to the benefit of particular classes. He disapproved of the system of taxing the community to assist specific charitable institutions, holding that they should be supported out of the pockets of people who sympathized with their objects. It was a poor form of sympathy with charities to say that the general taxpayer should contribute towards them in order to increase their funds. He trusted that the observations he had made would show the right hon. Gentleman opposite that he was in sympathy with him in regard to the task he wished to see undertaken; but, in view of the fruitless attempts which had been made in past years, he could not pledge himself to carry out any particular scheme. All he could promise was that he would take the same pains that the right hon. Gentleman himself would take if he were in his place to carry out the objects the right hon. Gentleman had in view.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, he must honestly confess that he was not at all in sympathy with the observations of either of the right hon. Gentlemen who had just spoken. He was wholly against the taxing of charities, believing that the poor already bore too large a proportion of the burden of taxation, and that the rich did not pay a sufficiently large proportion. He did not grudge the charities the sum they cost the State, particularly as he regarded it as voluntary taxation on the part of members of the community which indirectly went very largely to the reduction of the rates.

MR. PICTON (Leicester) said, he must venture to disagree entirely with the view of the hon. Member who had just spoken. The hon. Member seemed to think that these charities were a system of voluntary taxation; but a very large number of the charities of the country, especially those with which the Charity Commissioners had to deal, consisted of property handed down from the old pious founders, which, since the death of those founders, had been largely increased in value by the labour of the community. To speak of these funds, therefore, as a voluntary taxation was not fair. The hon. Member had neglected to observe that the system he recommended gave to every benevolent person the power of taxing people involuntarily. The hon. Member had stated that the rich did not pay their fair proportion of taxation; but if the cost of managing charities was defrayed out of the taxation of the country, how could the hon. Member guarantee that the necessary taxation would be imposed upon the rich? It was not imposed upon the rich; it was imposed upon the poor. He (Mr. Picton) believed that the poor paid an unfair proportion of the taxes of the country. He had been very glad indeed to hear the remarks of the right hon. Gentleman the Chancellor of the Exchequer. The right hon. Gentleman had no doubt said all that could very well be expected of him under present circumstances, and it was extremely gratifying to hear that in principle he recognized the justice of the opinions advanced by the right hon. Gentleman the Member for Wolverhampton. Perhaps he (Mr. Picton) might be permitted to remind the Committee that the attempts at the taxing of charities to which the right hon. Gentleman the Chancellor of the Exchequer had called attention, and which had ended in failure, were all of them attempts to charge the charities with the

expenses of the country at large; but the right hon. Gentleman the Member for Wolverhampton had suggested nothing of the kind. What he suggested was that the charities should defray the expenses which were incurred on their own account—that they should pay the cost of the superintendence exercised by the Charity Commissioners, which was a necessary expense entailed by the accumulation of funds of the charity. The right hon. Gentleman contended that these expenses should be defrayed out of the funds of the charities, and not by the general public. The right hon. Gentleman the Chancellor of the Exchequer had mentioned instances in which the right hon. Gentleman the Member for Mid Lothian and others had proposed to tax charities, sometimes to the extent of 2*d.* in the pound, and sometimes to other amounts, and when they remembered the enormous value of charities in the country they would see that the amount proposed would be of very slight consequence indeed. He did not think they ought to confuse the two points together—the one that the charities should bear the expenses of their own management, and the other that they should take their share in the expense of the general administration of the country. He was sorry the attention of the Committee should have been distracted by the observations of the hon. Member for the Penrith Division of Cumberland (Mr. J. W. Lowther) from the criticisms made by a preceding speaker. They ought to think of the misery which existed in this country precisely for want of the assistance which might be given from funds in the hands of the Charity Commissioners. Why were the inhabitants of very poor and squalid districts in London to wait until great people subscribed large amounts of money to meet the advances of the Charity Commissioners? The money held by that Body was not given for the promotion of generosity on the part of the rich. The business of the Charity Commissioners was to look after the poor, whether the living generation of the rich did so or not. Of course, if they could succeed in persuading rich men generally to put down £1 for every £1 the Commissioners expended it would be all very well; but it was very hard on squalid and poverty-stricken neighbourhoods to withhold funds from them simply because the rich and the aristocratic could not be induced to feel an interest in the proposed benefaction. And now he came to the question of the choice of Governors. The hon. Member had told them that in the case of denominational institutions the Commissioners took pains to inquire into the denominational relations of the Governors whom they appointed, and he added that, in the case of undenominational institutions they did not think it necessary to make any such inquiry. He contended that this was an altogether false idea of their duty. How were they to guarantee that an institution should be maintained on an undenominational footing unless they adopted a similar procedure to that adopted in the case of denominational institutions? Take the case of a Church of England institution. How could they secure its management in accordance with the tenets of the Church of England except by appointing on its management gentlemen who were members of the Church of England? Did not the same principle apply to all undenominational institutions? Then, surely it was the duty of the Commissioners to see that undenominational institutions were placed on the same footing, and that was to be secured obviously by taking industrious care that the members of the Governing Body should not be of one denomination, and for this purpose they were bound to inquire into the denominational views of the gentlemen it was proposed to appoint as Governors. How had the Commission sought to secure undenominational management in a notorious case? The Archbishop of Canterbury, Bishops, the Chancellor of a Diocese, and prominent members of the Church of England, famous for their donations to that institution, had been appointed on the Governing Body! "But," said the Charity Commissioners, "we have not inquired into their denomination views." Surely inquiry was not necessary; their views were known to all the world; they were known as prominent members of the Establishment of the Church of England? Now, in that matter, the Charity Commissioners had taken an entirely false view of their duties. They were bound to be as careful to preserve the undenominational character of an institution as of a de-

nominational one, and he hoped that in future they would bear that fact in mind.

MR. LABOUCHERE (Northampton) said, he wished to call the attention of the hon. Member opposite to the case of the Huguenot Charity in London, in connection with which there were separate funds for a school and for a church. In 1867, the charity was administered under a scheme approved by the Court of Chancery, and the scheme was revised by the Charity Commissioners in 1876. It was now sought to re-organize the scheme so far as the schools were concerned. The schools were not simply Huguenot schools, for English persons sent their children there in order to learn French. He believed that the present object was to have exhibitions. Well, he was not particularly opposed to that. But in this case the scheme was prepared by the hon. and learned Attorney General (Sir Richard Webster) and not by the Charity Commissioners. There was a sum distributed between the Consistory Trustees and the pastor of the Church, and consequently the hon. and learned Attorney General was now formulating a scheme, which, so far as he could make it out, was not to be submitted to the Charity Commissioners or to the House of Commons. There was a considerable sum of money involved. The church had an income of £730 per annum. Well, the church, which was situated at St. Martin's-le-Grand, was required for some extensions of the Post Office, and it was consequently bought for a sum of £25,000. The accumulated funds brought the total up to £27,000, in addition to the income of £730 yearly from other sources. What was to be done with the money? Was a new church to be built with it? He did not believe one was required. There were, of course, Huguenot descendents in London; he was one himself, but he had never been to the church, and he believed most of the Huguenot descendants were in a similar position. It was a matter of fact that the poor fund was used in order to induce persons to go there and receive doles. The pastor had a salary of £500 a-year, and he was appointed by the Consistory, who, in turn, were appointed by him. It did seem that when the new scheme was propounded, it would be most undesirable that the £27,000 in hand should be devoted to building a new church, which was not wanted. The money was invested in Consols, and produced £800 yearly, the house property brought in about £750 more, and he believed that the cash might be better and more usefully employed than in building a church. Speaking as a Huguenot, he hoped that the hon. and learned Attorney General would propound a scheme which would make this money available for the temporal use of poor French people in London. If that could not be done without an Act of Parliament, then let him bring one in——

THE CHAIRMAN: Order, order! That is not within the scope of the Charity Commission, and the hon. Member's remarks are, therefore, irrelevant.

MR. LABOUCHERE said, he thought it was a very peculiar case. The Charity Commission referred the matter to the Attorney General, but they could not attack the right hon. Gentleman on the matter when the Vote for his salary was discussed. He had, however, laid his views before the Committee.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, it was true there was a school and a French Protestant Church involved in the charity, but his own duties in the matter were of a very formal character. The church had been pulled down to allow of the extension of the Post Office, but the valuable library of books had been preserved and was being taken care of. The question raised by the hon. Member was as to whether the church should be rebuilt? Well, he had no power to decide that. All he had to do was to prepare a scheme under the direction of the Court of Chancery. It was a very important question whether the money should not be devoted to purposes which came within the scope of the charity; but the whole matter was being carefully considered, and inquiries were being made of those who had a right to be heard. It was quite possible that the field of the charity would be enlarged so as to use the money for better purposes. He had been assured that the practice of giving doles had come to an end, and, at any rate, he would do his best to reduce it to a minimum.

MR. HENRY H. FOWLER (Wolverhampton, E.) said, he had to thank

the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) for the response he made earlier in the debate to an appeal which had been made to him. He wished, however, to make an observation with a view to preventing a misconstruction of his meaning. He had never intended to suggest that the Charity Commission was extravagantly managed. The men at the head of it were distinguished and able, and all he had wished to do was, to point out that there was a tendency to increase the establishment charges on very extensive lines. The hon. Gentleman the Member for Kirkcaldy (Sir George Campbell) had confused the two questions as to the taxation of charities, and then being compelled to contribute to legal expenses, or, so to speak, for the business done for them by the Charity Commissioners. He did not intend to raise the question of the taxation of charities, but he did not see why the general public should subsidize all the charities in the Kingdom by exempting them from taxation which they were so well able to bear; and he would urge that those charities which came to the Court of Chancery for expensive and costly legal proceedings in order to secure and protect their funds, should contribute to the cost of the proceedings, and not make them a burden on the public. He fully appreciated all that had been said by the right hon. Gentleman the Chancellor of the Exchequer, but he was very much inclined to the idea that charities might pay for legal work done by the Charity Commissioners by fees, in the shape of stamps, at each successive stage. That was a matter, however, which the right hon. Gentleman the Chancellor of the Exchequer and the Treasury would have to decide.

Mr. HALLEY STEWART (Lincolnshire, Spalding) said, he had had on several occasions to bring questions regarding Lincolnshire trusts before the Charity Commissioners, and he had always met with extreme courtesy. It was, therefore, with some reluctance that he took advantage of his position in that House to press a particular matter upon them. In the matter of the Swineshead Charities, which were under the direction of the Commissioners, there was a new scheme under which two trustees were to be elected by the ratepayers. Now, the Vicar of Swineshead had set at nought and defied the opinion of the trustees, that the election should be by ballot if the ratepayers so resolved. He (Mr. Halley Stewart) was glad to say that the Charity Commissioners had refused to endorse the high handed proceedings of the vicar, who, after first refusing to hold a meeting in conformity with the terms of the trust, had now fixed it at the hour of 10 in the morning, so that the labourers could not, without great difficulty, be present. The labourers had remonstrated with the reverend gentleman, but he refused to alter the hour. They then sent a letter to him (Mr. Halley Stewart), and he waited on the Charity Commissioners, who wrote down to the vicar, pointing out that the Commissioners always fixed an hour in the evening for inquiries on village charities, and expressing a hope that he would follow suit. But the Vicar of Swineshead refused to follow that advice; he defied the wishes both of the Charity Commissioners and the parishioners, and refused to hold the meeting in the evening. The result was that the labourers were altogether outnumbered, the resolution carried at the previous meeting was reversed, the trustees then elected were not again chosen, and a great state of turmoil was caused in the village. He would not ask the Charity Commissioners to re-open the question, but he would ask them to bear in mind in the future that the labourers felt that they were only safe in the hands of the Commissioners, and not to place vicars and other trustees in a position to disregard the feelings of those most interested in a charity and the directions of the Commissioners.

Mr. J. W. LOWTHER said, he fully appreciated the spirit in which the hon. Member had made his remarks. It was the custom of the Charity Commissioners to try and arrange for meetings of the character described to be held in the evening. He did not think they had any absolute power to compel it to be done.

Sir JOHN SWINBURNE (Staffordshire, Lichfield) said, they had been given to understand it was the desire of the Charity Commissioners that labourers should be enabled to attend charity meetings, and that elections of trustees should be by ballot. He held in his hand a scheme for certain charities in the County of Staffordshire. The

scheme was promulgated a month since, and it provided that the trustees should be elected in one case—that of Colwich—in vestry assembled. Now it was quite impossible for labourers to attend those vestry meetings, and in such cases the elections were not made by ballot.

SIR GEORGE CAMPBELL said, the Vote had occupied a long time, and he was unwilling to start a debate which might occupy a still longer period. But he did not like to pass by one part of the Vote without a protest. He alluded to the expenses of the Endowed Schools Commission, which sometimes through actual mismanagement did a great deal of harm. They had an instance of that brought before the House on the preceding Monday, when the majority in favour of the Endowed Schools Commission, although backed up by the Government, was not large. In the system of open competition it meant expensive preparation and cramming the rich at a great advantage over the poor, and endowments which were originally intended for the poor in this way got into the hands of people whom it was never intended should enjoy them. He would not move an Amendment to reduce the salaries of the Endowed Schools Commissioners as he had intended to, if the Vote had come on earlier, but he must say he believed the Commissioners, in the line of conduct they were adopting, were doing what was contrary to the wishes of the founders of the endowments by diverting them from objects beneficial to the poorest members of the community.

Vote *agreed to.*

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £26,477, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1889, for the Salaries and Expenses of the Civil Service Commission."

MR. CRAIG-SELLAR (Lanarkshire, Partick) said, that in moving the reduction of the salaries of the Civil Service Commissioners by £400, he had no wish to occupy the time of the House by going into a discussion as to the general policy of the Civil Service Commissioners, nor would suggest any reflection on the manner in which their business was conducted generally. He believed the right hon Gentleman the Member for Berwickshire (Mr. Marjoribanks) had some interesting observations to make in regard to the examinations conducted by Examiners under the Commissioners; but he (Mr. Craig-Sellar) intended on this occasion to confine himself to a single point, which he had already brought before the notice of the hon. Gentleman the Secretary to the Treasury (Mr. Jackson) by a Question which he had put from his place. He had now brought it before the Committee, because it was a real grievance, and because he thought that before they granted this Supply they ought to have an assurance from the hon. Gentleman the Secretary to the Treasury that some steps would be taken to redress the grievance. The case arose in this way. At the recent examination for the Sandhurst Military College, conducted at the beginning of this month, there were a number of candidates who came up for examination, and on the last day of that examination a mathematical paper was set which contained a large number of questions, one of which was simply insoluble. He did not propose to mystify the House or himself by entering into details with regard to this question which was insoluble, but if the Committee would allow him he would read it, as it happened to be a very short one, and as it would make the point he wished to put more clear. It read thus—

"A number consists of three digits in geometrical progression. The sum of the right hand and left hand digits exceeds the middle digit by unity, and the sum of the left hand and middle digits is two-thirds of the sum of the middle and right hand digits. Find the number."

Well, it was impossible, as he understood it, to "find the number," because the number did not exist. Instead of "exceeds the middle digit by unity," it should have been "exceeds twice the middle digit by unity." This makes the question reasonable, and the answer then becomes 469. It was obvious that the mistake in the question was an accident, and he was informed that it occurred in this way—and if he saw that he was right in this, he thought it as well to mention it in this public manner, so that Examiners who set questions in the future would be more careful in these matters—he believed it arose in this way, that the gentleman who set the

examination paper worked out the question accurately in the draft, but in copying the question from the rough paper to the paper to be sent to the printer he omitted the word "twice." If he (Mr. Craig-Sellar) were wrong, he would, no doubt, be corrected by the hon. Gentleman the Secretary to the Treasury. But it certainly seemed to him very hard that such a question should have been submitted to 400 students brought up for examination. Examiners were appointed to find out the mistakes of the candidates, and not candidates to find out the mistakes of the Examiners. The paper was a three hours' paper, and he was informed that some of the candidates occupied as much, variously, as an hour, half-an-hour, and a quarter of an hour in the attempt to solve this veritable task of Sisyphus, for the task of Sisyphus was an insoluble problem. They all knew how exhausting the process of answering these examination papers was, and how to some lads the prospect before the examination and the anxiety afterwards affected seriously the nervous system; although, of course, now-a-days there were some young men—and some young women, too—who became accustomed to examinations, like the eel, in the hands of the skilful, which got used to being skinned. But there were always some boys of a nervous temperament, who might become excellent Civil servants if their examination were conducted properly, to whom it was almost impossible to pass an examination if anything went wrong. When such questions as that to which he had referred were put in the papers such boys were likely to lose their heads, and become incapable of good work, and the result might be that they would lose their chance of appointment. What did the Commissioners do under the circumstances he had now narrated? There were many things they might have done, but, in his opinion, they did everything they ought not to have done. The examination concluded on Tuesday at 1 o'clock, and it was well known at that time that this insoluble problem had been set. The natural thing to do would have been to inform the candidates that the paper was a wrong one, that it would be cancelled, and that they should return again on the following day to another paper. Nothing of the kind was done, however, and these 408 boys went away—some to Scotland, some to Ireland, some to far-off parts of England, some even to the Continent—but on the Saturday they were called back again with not one word of regret or apology from those responsible for the mistake, and set down in the ordinary way to do another paper. There were 408 of the lads present at the first examination, and 397 of them returned. Thus it would be seen that 11 did not return; and what happened to them, and what marks they got for their papers, no one could tell. It seemed to him (Mr. Craig Sellar) that something should be done for these candidates. The Treasury, he thought, should find some means by which some alleviation might be made to the parents of these lads, who must have been put to considerable expense in taking them home and sending them up once more for examination. He might be told that what had occurred was an accident, and that accidents would happen in the best regulated examinations. That might be so, but this was not a solitary instance. On three previous occasions there had been faulty papers, and different things had been done to put matters right. To his mind, when a Body like the Civil Service Commissioners were vested with great powers as those they possessed, they ought to be above all suspicion of inaccuracy. All confidence in the Civil Service Commissioners and in the examinations was lost when it was found that faulty examination papers were presented. Of course, the Treasury could not make good any hypothetical loss that might have fallen on the lads; but there was something the Treasury could do—something practicable—and that was simply to pay the expenses of the lads, whatever it might be, who had come up from distant parts of the country and from the Continent to pass through the second examination. The hon. Gentleman the Secretary to the Treasury had told them, the day before yesterday, that this would be an evil precedent, and that awkward questions might arise if the Treasury were to take that step. That might be very true from the Treasury point of view, but the hon. Member should recollect that the parents of many of these lads were not well off, and that it was not for them to consider whether or not an evil precedent had been set. The question

to them was, how were they to be recouped for the expense to which they had been put through the fault of the Examiners? He trusted the hon Gentleman the Secretary to the Treasury would be able to give him an assurance that something of the kind that he suggested would be done. He begged to move the reduction of the Vote by £400.

Motion made, and Question proposed, "That Item A, £15,757, for Salaries, be reduced by the sum of £400."—(*Mr. Craig-Sellar.*)

MR. MARJORIBANKS (Berwickshire) said, it would save the time of the Committee if, instead of moving the Motion he had put on the Paper, he took this opportunity of saying what he had to say, and one Division would answer very well for the two questions which were raised—if, indeed, a Division became necessary at all. The statement they had heard from the hon. Gentleman who had just sat down on this case was really a portion of the case which he (Mr. Marjoribanks) desired to bring before the notice of the Committee. It was what he might call a culminating error, which seemed to show that *dementia* had fallen on the Civil Service Commissioners which preceded their ultimate destruction. He did not quite agree with his hon. Friend as to the step which should be taken by the Civil Service Commissioners. It seemed to him to have been a monstrous thing to bring these boys back again at all. The very least that might have been expected was that full marks should have been given according to the answers to the other questions on the paper, omitting altogether answers to the wrongfully set question. He did not say that would altogether meet the grievance, because, no doubt, a great many of the boys would have wasted a lot of time over the wrongly set question. But this instance the hon. Gentleman had adduced was by no means a single one of the mistakes that occurred in the examination papers. If this were only a single instance it might be passed over; but it was not an unusual occurrence, for mathematical papers were often found to be faulty, and the subject of remark against those entrusted with the preparation of them. The Committee would hardly believe that in the month of June just passed there had been no less than three separate cases of mistakes in examination papers—important mathematical mistakes in the examinations under the Civil Service Commissioners. There was the mistake in the Sandhurst paper, to which reference had been made by his hon. Friend. Then there was a case in connection with the Indian Civil Service Examination of a paper set by Mr. Besant—Question No. 6. It was a misprint, but still it was a misprint most awkward for the unfortunate students. It was a case in which s ($\frac{1}{2}$ the sum of sides) was printed for "A"—that is, "Angle A." The misprint made the question simply nonsense, and was like asking the boy to add apples and oranges together and express the result in figs. No doubt, the error was not Mr. Besant's fault; but someone ought to be responsible—it should have been someone's duty to look over the proof of the paper. But a still worse error had occurred in the paper set at the same examination by the Rev. E. Ledger. The last half of Question 14 was simply nonsense, and he (Mr. Marjoribanks) had the opinion of three different gentlemen with regard to it. First, there was the opinion of the Examiner of Cambridge for 1887, who said—"The question contains an undoubted fallacy." Then there was the opinion of a Senior Wrangler and Smith's Prizeman, who said—"The question is absurdly and flagrantly wrong." And, thirdly, he had the opinion of a Second Wrangler, and Tutor of his College, who said—"The question is certainly wrong—the examiner made the imperfectly illogical conclusion that "$S\,2n = Sn$." Here they had three cases of errors in Mathematical papers occurring within a single month, and there were other cases of a similar kind, not only in Mathematical papers, but in other papers. He was also prepared to bring forward other instances, if necessary, to show gross incompetency on the part of the Examiners. He knew of a case in which Bacon's Essays were set as a subject for examination, and the Examiner instead of examining on the essays generally, put questions relating to matter which was only to be found in the appendix of one particular edition—Whateley's. Then there was the case of an Examiner in Italian who asked the boys to reply to him in French or some other language, when before him for *vivâ voce* examination. In the Indian Civil Service for 1884, the following was set for an

essay:—*Il tremuoto del 22nd Aprili nel comitato di Essex.* It was intended that the essay to be written in Italian should be on the earthquake which took place in Essex a few years ago. Well, "tremuoto" was not modern Italian for an earthquake, which was "terremoto" but an archaic word which had not been in use for the past 100 years; and *comitato* was a word which never meant county, the Italian for "county" being *contea,* or *provincia.* The literal translation of the Examiner's Italian would be—"An essay on a turbulent fellow or rowdy in the Committee of Essex." Then, as illustrating the errors into which the Examiners fell, there was a case with which he was acquainted in which a boy named Fraser was credited with marks in a subject which he did not take up at all; and another case of a boy named Van Renen, who was stated to have disqualified in geometrical drawing. This was known to have been impossible from what he had done; and after considerable correspondence, the Commissioners admitted themselves wrong and passed him. This was some proof of the gross carelessness of the manner in which Civil Service Examinations were conducted. He could go into a great many more of these cases, but he would not waste the time of the Committee. He must say that in many cases he did not think the Civil Service Commissioners took sufficient pains to satisfy themselves as to the qualification of their Examiners. He knew a case in which a man was appointed as Examiner when he had been turned away from a public school, a fact which the Civil Service Commissioners would have been informed of if they had applied to the school the person had been connected with. He knew of a case, again, in which the Examiner put to each candidate the question—"Who was your coach?" Meaning who had been engaged to cram him for the examination, and it was to be feared that the marks had been arranged according to the answers received to this question. Then the rooms used for the examination were often badly situated. In one case in June of the present year, the room in which an Army Preliminary Examination took place was in the City, close to a line where railway trains were passing every two or three minutes. On another occasion the examination was carried on in a building in which a concert was carried on overhead during part of the time. The applause of the listeners was, of course, a pleasing variety, but it added to the difficulty of the examination. In another case the roof of the building was being repaired, a circumstance which could not be held to contribute to the quiet consideration of the papers. But he did not wish to rest on one particular case. He only wished to say that there was a mass of evidence easily to be got at by anyone who cared to take the trouble, to show that the examinations were not carried on in a way to secure the confidence of those who went to be examined. This was a question which came home to all of them, for most of them had undergone examinations themselves, and some of them had sons or brothers who had yet to be examined. These examinations were a necessary part of our present system, and it was only fair that they should require that the examinations should be carried on under the most strict superintendence by the very best examiners, and on the very best system, in order that real justice might be meted out to the examinees. What he claimed was, that they should have an inquiry into the subject. He would urge upon the hon. Gentleman the Secretary to the Treasury to grant an inquiry into the manner in which the Civil Service Commissioners carried on the examinations under their charge, and he thought that such inquiry should either be conducted by a Select Committee of the House, or by a Royal Commission. The subject was one which they had a right to demand should be inquired into, and he trusted that the answer the hon. Gentleman the Secretary to the Treasury would give would be such as would obviate the necessity of their voting in favour of the Motion to reduce the vote, which they certainly should do if the answer were not satisfactory.

MR. MOLLOY (King's Co., Birr) said, that one of the most startling cases as showing the faulty character of the present system of examination, was one which had not been mentioned, although it had been brought under his observation. It was the case of a boy who had undergone an examination and been refused, and had afterwards gone to a

public tutor, who examined him and said he was convinced that there must have been some mistake. The tutor had gone to the Civil Service Commissioners and remonstrated, but they had refused to listen to him. The father of the boy made a similar application to the Commissioners, but again they refused to listen. But the tutor, who was a man of some renown, again went before them, declaring "There must be some mistake, and it is only fair that you should examine into the papers and have them scrutinized." The Commissioners did so, and what was the result? Why, under the pressure brought to bear upon them, after three months' trouble and worry, the papers were searched, and it was found that a simple sum of addition necessary to add up the number of marks given to this candidate had been done wrongly—a mistake of 200 had been made, and the boy, instead of having failed, had passed more than half way up the list. He would not go into other cases; but he thought this gave a very serious estimate of the way in which their work was carried out by the Examiners. This was a serious matter inasmuch as the work of the Civil Service Commissioners had, at the present time, a much greater effect upon the education of this country than any scholastic Body, if he might so call them, in the three Kingdoms. A very large number of candidates passed through their hands every year when they came up for examination. Tutors and masters were obliged to conform to the demands of the Commissioners, and the system was a system of cram, pure and simple. The fault did not lie with those who carried out, but on those who constituted, the policy which regulated the examinations. There was no grouping of subjects, no method by which the candidates were examined for the kind of work they had to do. Take, for example, the candidates for the Civil Service in India. Now, in India, of all other places, a knowledge of history was most important, and ought to receive the largest number of marks for the Civil Service, but all that was given to it was 300. Now, a candidate coming up had to obtain a certain number of marks before he could pass, but he could make up those marks by bringing in outside subjects, which, for the purpose of the work he was going to do, were absolutely useless subjects. A candidate for the Civil Service of India who read up history could get 300 marks. He might have studied thoroughly, or simply so as to enable him to answer questions, but under any circumstances he could only get 300 marks, and under the system of official crams, of fixing certain dates and broad facts in history, in a student's mind, he could get just the same number of marks as the best historian, while he could make up any deficiency in historical knowledge by bringing up Italian. Well, for a man going out to the Indian Civil Service, Italian was about the most useless subject he could take up. Yet a candidate who made up for his want of historical knowledge with a little Italian could get as many marks as a candidate who had studied, not only the history of the world at large, but more especially the interesting history of India. Then, let them see how examinations were conducted. A single Examiner sat for a single subject. There was no intercommunication between the Examiners. It was a rule-of-three sum. A certain number of questions were given. If they were correctly answered the candidate was held to be qualified for the Civil Service, no matter what he knew of other subjects. A rule was set before the Examiner by which he gave so many marks. When the papers came in from the candidates there was no intercommunication between the Examiners, and the estimate of the Examiner depended to a large extent upon his own particular fads on historical subjects. Take, for instance, questions as to Queen Elizabeth. Some historians held exactly the reverse views as to the character of that Sovereign. A candidate, perhaps, gave answers in opposition to the particular view accepted by his Examiner, and although he might support it by historical research, it would be held that he had answered wrongly in accordance with mathematic rules, and he would lose marks accordingly. [An hon. MEMBER: No!] An hon. Member says "No!" but he (Mr. Molloy) could give an instance in which a candidate had absolutely lost marks by taking that course. Now, the system of examination either was correct or it was not. If it were correct, then the system which obtained at every one of the Universities was wrong. At every University the questions were set

by a Body of Examiners—two, three, or four, and when the papers came in, the Examiners sat separately first; they each looked through every paper, each placed his estimate upon it, and these estimates sometimes differed as much as from 50 to 300 marks. That showed what a difficulty there was for a single Examiner to carry out the work. After that the examiners sat together and discussed the paper, so that each paper got the benefit of the opinion of the full Board of Examiners. Thus the two systems of examination were exactly reversed, and either the University system was absolutely wrong from beginning to end, or else the Civil Service system was wrong. He ventured to think that the University system produced the best class of Civil servants, and it certainly produced the best class of men, because the system, as they had it now under the Civil Service, was purely and simply a system of cram, and nothing else. He knew from personal experience that that was the case. Let them take the question of literature, which formed part of the examination for Civil Service candidates. That was a subject which ought to be thoroughly understood, especially by candidates going in for the higher grades, yet the examination was conducted on a system of rule in answering certain questions which had been laid down by the crammers. It was merely a system of learning answers to a certain set of questions. As a matter of fact, many of those who passed in literature had never read the books with which they were supposed to be acquainted, and had certainly obtained the knowledge they possessed from books published by crammers. He had pointed out that either the University system or the Civil Service system was wrong. He had pointed out further that the Civil Service had now, and would have in an increasing degree in the future, a greater effect on the general education of this country than either the Universities or schools. The question was one of very great importance. The suggestions on minor points made by the right hon. Gentleman the Member for Berwickshire (Mr. Marjoribanks) he (Mr. Molloy) thought deserved support, and he hoped the whole question would have the attention of the Government, in whose hands rested the decision of the matter.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, he had already stated in the House, in answer to Questions, he was extremely sorry that mistakes should have occurred in the examination papers. The hon. Member for the Partick Division of Lanarkshire (Mr. Craig-Sellar) had pointed out that, in his opinion, the Government ought to pay the expenses of candidates who suffered by the mistakes. As he (Mr. Jackson) had pointed out, that would be a very bad precedent to set. It was all very well to expect perfection, and no doubt it was desirable to have it; but it was not so easy to get it. He thought, however, he could go to the length of saying that every precaution should be taken against errors in future, every possible check should be applied so as to make impossible a repetition of these mistakes, and he was sure the Examiners themselves desired to secure that end. He thought he might venture to say with the general concurrence of the Members of the House that the Civil Service Examiners had always shown impartiality in their discharge of the duties attaching to their high position, and he believed he was justified in claiming for them—and he thought it would be in the interests of the candidates, of the Civil Service, and of the country generally—that as far as possible they should occupy, not only an impartial, but also an independent position. He was not in any sense attempting to excuse what had happened. He believed that if the Examiners were there to speak for themselves they would express their regret just as he was expressing it for them, but every precaution would be taken in the future, and he believed that the precautions to be taken would make it practically impossible for the mistakes to occur again. Now, the right hon. Gentleman the Member for Berwickshire (Mr. Marjoribanks) had mentioned several cases, and had adduced an amount of evidence which deserved to be carefully inquired into, and if the right hon. Gentleman would be good enough to furnish him with particulars of his statement, he would take care that they were most carefully and most thoroughly inquired into, and that the most complete answer possible should be given to all the charges. The right hon. Gentleman complained about

the room in which some of the examinations were held; but he would point out, in the first place, that the Civil Service Commissioners were not responsible for that. The right hon. Gentleman the First Commissioner of Works (Mr. Plunket) was more or less responsible for finding the rooms for the examination, and he knew from conversation with the right hon. Gentleman how difficult it was at the particular time when the rooms were wanted to get them desirably situated. Only last year £4,000 was spent in providing examination rooms. Another complaint which had been made was that the Examiners asked the boys who had been their tutors. Well, he was informed that that practice had been stopped, and orders had been given absolutely preventing such a question being put. The right hon. Gentleman had further asked for an assurance that the expenses would be paid of the boys who suffered from the mistakes in the examination papers. Well, he thought it would be extremely unwise on the part of the House to adopt such a precedent, and he did not like to hold out any false hopes; but from figures which had been supplied he found that the proportion of boys brought from out districts was comparatively small, and he believed that they were really put to no expense. He would, however, promise to make inquiries and see what it was possible to do in the matter. He could only again express his regret that the mistake had occurred.

MR. JAMES STUART (Shoreditch, Hoxton) said, he did not disapprove of the action of the Civil Service Commissioners, nor did he agree that great fault should be found with the character of their examinations as compared with the University examinations. There were, no doubt, faults in the system of examination, but they would always find persons who were not able in examinations to realize the whole advantage to be gained from a large knowledge of any particular subject. He had to say with respect to Civil Service Examinations, of which he had had experience, that he did not believe they gave rise to indiscriminate cramming; and he further believed that the most successful candidate in these examinations was the man who had been best taught. The crammers recognized that fact. He did not share in the general attack which had been made on the Civil Service Commission. He gathered from what the right hon. Gentleman the Member for Berwickshire said, that there had recently been a considerable number of cases in which one could find a good deal to amuse himself with; but in all examinations they would find a number of cases of individual absurdity. He therefore wished to urge upon the House, and upon those who had taken part in the debate, that they should not allow themselves to judge of the merits of Civil Service examinations by isolated and selected cases, and he could bear personal testimony to the general efficiency of those examinations. He gathered that a considerable amount of dissatisfaction had been expressed at the Civil Service Examination because only one Examiner looked over one set of papers; but in the days when he was acquainted with the Cambridge Mathematical Tripos Examinations, every paper was only looked over by one Examiner. He mentioned that to say that whatever might be the practice of the Civil Service Examiners, it was not necessarily a bad or an erroneous practice. But he wished to find fault with the constitution of the Civil Service Commission, which had suffered since the death of Mr. Theodore Walrond—a gentleman of large experience and wide capabilities. There was at present no Commissioner who had any real and adequate knowledge of the mathematical and scientific branches of the examination. Attention was called to that at the time of the vacancy occurring, and the First Lord of the Treasury, who was naturally not particularly acquainted with the characteristics of the examination, replied that it was not necessary that the Commissioners themselves should be able to examine in every subject to be examined in. He remembered that that reply which was given with a certain amount of good humour, was received with many cheers on the opposite side of the House. Now, they did not insist, nor did they desire, that the Commissioners should be able to examine in all classes of subjects that might come before them; but he did say, that they were in great danger of a repetition of errors in the examination papers—such as had been described by his hon. Friend the Member for the Partick Division of Lanarkshire (Mr.

Craig-Sellar), if they did not have among the Commissioners who were ultimately responsible for the matter some one who was acquainted with the mathematical and scientific branches of education. That portion of knowledge was absent from among the present Commissioners. He would find no fault with those gentlemen or with the selection of them; but he would urge strongly on the Government to take into consideration the point he had urged in any new appointment, or in any reconstruction of the Commission, and on their appointment to pay more attention to the necessity of selecting men with some amount of technical knowledge on the matter.

CAPTAIN SELWYN (Cambridge, Wisbeach) said, that as one who had recently passed an examination, he might perhaps be allowed to say that he noted with pleasure the promise of the hon. Gentleman the Secretary to the Treasury (Mr. Jackson) that every precaution should in the future be taken to avoid mistakes in the examination papers. He would like to point out one way in which the mistakes might be avoided. Somebody competent to do the paper should be in the room while the examination was proceeding. When an officer in the Army went through his examination, the Garrison Instructor worked out the papers, and he was present and able at once to say whether or not the questions were accurately set. If a similar course were adopted in the examinations for the Civil Service, he believed a great many mistakes would be avoided.

MR. LAWSON (St. Pancras, W.) said, he wished to ask the hon. Gentleman the Secretary to the Treasury for some information as to the present composition of the Board of Commissioners. He believed there were two paid and one honorary Commissioners; but the honorary Commissioner—Lord Strafford, it was said, in consequence of some evidence given before the Royal Commission, had resigned. Was it the intention of the Government to fill up the vacancy or not? If so, when was it likely to be done? At present, of course, there were only two Commissioners, although it might be the number was quite sufficient for the work that had to be done.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, it was the intention of the Government to fill up the appointment if a suitable person could be found; but it was purely honorary, and involved considerable responsibility and labour. The hon. and gallant Member would understand, therefore, that it was a matter of some difficulty to find a person qualified to hold the position. He heard with great interest the observations of the hon. Gentleman the Member for the Hoxton Division of Shoreditch (Mr. James Stuart), and he could assure him they would receive careful attention from the Government. He had also listened with considerable interest to the observations of the right hon. Gentleman the Member for Berwickshire (Mr. Marjoribanks), and if he would furnish the Government with the details which he had stated to the House, they should be carefully inquired into, and steps taken to prevent a repetition of the matters complained of. The Commissioners discharged their duties under an Act of Parliament, and, although mistakes were sometimes made, and singular questions asked by the Examiners, he could tell the hon. Member for the Hoxton Division of Shoreditch every matter was carefully sifted. They felt that that was a question which deserved consideration and examination; but, at the same time, he would ask the House of Commons not to interfere too strongly with a Committee which had hitherto discharged its duty with great sense of responsibility to the public, which was established by Act of Parliament, and with which it would not be desirable that the Executive Government of the country should interfere. If the Executive Government did interfere too frequently with a Body which ought to be, as nearly as possible, independent, it would do a great deal of harm.

SIR ROPER LETHBRIDGE (Kensington, N.) said, he desired to say one word with reference to the criticism of the hon. Gentleman the Member for the Shoreditch Division of Hoxton as to the appointment of Gentlemen upon the Civil Service Commission. The hon. Gentleman complained that the last appointment to the Civil Service Commission was of a Gentleman who had not been distinguished in any way as a mathematician, and that there was no mathematician at present amongst the Members of the Commission. The hon. Member had gone on to imply some-

how that to that fact was to be attributed those remarkable and deplorable mistakes which had taken place in the mathematical papers to which the attention of the Committee had been drawn that night. How on earth could the constitution of the Commission bear upon a mistake made in the papers of the Mathematical Examiner at Sandhurst? He (Sir Roper Lethbridge) himself had been a University Examiner for many years. He had also examined for the Army and for the Civil Service, and was, therefore, thoroughly acquainted with the details of the subject, and he could say, without fear of contradiction, that the mistakes to which attention had been drawn were simply the fault of the Examiners, and were in no way due to the system of examination or the method of control exercised over the Examiners. It was most unfortunate that such errors should creep into the questions, and, for his own part, he could not understand how papers containing such errors were ever allowed to be distributed to the candidates. It had always been his endeavour, wherever he had been examining, most carefully to look through the printed papers of questions before any copy was given forth. That precaution evidently had not been taken by the Examiners in the cases referred to, and he thought that those persons deserved severe censure for their neglect. The painful result of the error had been clearly described by the hon. Gentleman opposite (Mr. Craig-Sellar), who first spoke on this question; but he (Sir Roper Lethbridge) would add another point for the consideration of the Committee. It would be in the power of any one of the candidates who failed in these papers, to say that his failure was due to the fault not of himself, but of the Examiner, and of the system of examination. Now, that was a very serious matter when they considered how entirely our system of appointment to the Army and the Civil Service and other Public Departments depended on the examination. He would, therefore, venture to repeat that it was on the Examiners that the fault lay, and that they should be visited with censure; and that it was not the fault of the Commissioners. Therefore, he would pass the Vote, and would appeal to hon. Gentlemen opposite not to cast blame on the Commissioners, with whom it obviously did not lie.

MR. CRAIG-SELLAR said, that with reference to the observations of the hon. Gentleman who had preceded him, it should be stated that the Committee could not hold the Examiners responsible. It could only hold the Commission responsible, and it was for that reason that he had moved the reduction of the Vote. He could not help feeling regret that the assurances of the hon. Gentleman the Secretary to the Treasury were not of a more substantial character, and that there had been no reference made by him, or by the right hon. Gentleman the First Lord of the Treasury, to the suggestion of his right hon. Friend (Mr. Majoribanks) that the Commission should be inquired into by a Committee of the House. The Commission had now been in existence some years, and it could not but be beneficial to have an inquiry into its operations, say next year. The Committee at least got a promise from the Government, that the different points raised in the discussion —the specific complaints made—would be carefully investigated; and the Secretary to the Treasury had promised them that, in future, the examinations would be more carefully conducted than they had been hitherto. In view of these promises, and, finally, as he had received an assurance that the cases of the candidates who had gone up to the Sandhurst Examination from a distance, and who, through an error in the examination paper, had been obliged, after their return home, to go back for a new examination, would be especially inquired into with a view to the expenses to which their parents had been put being refunded, he thought he might ask the Committee to allow him to withdraw the Amendment. He hoped he should be allowed, later in the Session, to put a Question to the Secretary to the Treasury as to the manner in which the undertakings of the Government had been, or were being, fulfilled.

MR. LAWSON (St. Pancras, W.) said, he should like to ask the right hon. Gentleman the First Lord of the Treasury whether, when this question was inquired into, the Government would not consider the propriety of laying down some conditions as to regularity of attendance at the Offices of the Commission to be required of future

Commissioners? Clearly, it was undesirable to have mere figureheads on such a Commission as this.

MR. W. H. SMITH said, when it became necessary to make any new appointment, they sought to obtain the services of Gentlemen, both competent to perform the duties and capable of giving attention to the duties. The hon. Gentleman might rest assured that no one would be appointed to the Commission who was not thoroughly prepared to perform the duties.

MR. PICTON (Leicester) said, he was astonished to hear the hon. Gentleman the Member for the Partick Division of Lanarkshire express the satisfaction he did at the promises of the Government. As to what had fallen from the Secretary to the Treasury (Mr. Jackson), it could not be denied that these young men had not only suffered mental torture, but had been put to a certain amount of pecuniary loss, through the negligence of certain officials in the employment of the Commission. Whether the fault lay with the Examiners or the Civil Service Commissioners, he did not think mattered very much. Even if the fault lay with the Examiners, they were in the employment of the Commissioners, and the Commissioners must be held responsible for the faults of their servants, just as masters were held responsible for the faults of their *employés* in the ordinary businesses of the country. But the question which arose in this case was a much larger one than that of mere pecuniary loss. The circumstances which had been brought to light that evening were simply the culminating absurdity of a very stupid and faulty system. It was ridiculous to suppose that a person's capacity for performing clerical work in a Public Department could be properly tested by requiring him to give satisfactory answers to certain abstruse mathematical questions, or by his capacity for turning English into French, or his knowledge of history. A more rational system of examination was required. And the Examiners too frequently made bad worse by adopting the system of endeavouring to find out not so much what young men knew as what they did not know, and by setting traps and tricks which required some acuteness and knowledge to penetrate. He only hoped that what had taken place that night would induce the Government to give an undertaking to investigate the whole system of Civil Service Examinations.

Amendment, by leave, *withdrawn.*

Original Question again proposed.

MR. ARTHUR O'CONNOR (Donegal, E.) said, he desired, before the Vote was taken, to ask the hon. Gentleman the Secretary to the Treasury to kindly explain the last item in it—"Bonuses and Gratuities to Copyists." The item had increased since last year from £6,000 to £10,000. These bonuses were given under a Treasury Minute to certain copyists throughout the Civil Service. The amount of the gratuities was very small, representing only something like 6*d.* a-week for men who had served over 12 years. The addition which was involved to the salaries of the men did not give them anything like a reasonable amount of pay for the work they were set to do. Many hon. Members would be considerably startled if they knew what were the class of men who had to do with many of the papers which they themselves filled up. In Somerset House, where the declarations with regard to the Income Tax of the largest firms in the country were sent, men very low down in the Civil Service became familiar with the Returns made by Members of that House—Returns displaying the whole of their private pecuniary affairs. Men who were paid at the rate of 10*d.* an hour possessed information and dealt with papers which persons unacquainted with these matters would very properly expect only those having immediate relations with Secretaries of State were in possession of. He regretted that the right hon. Gentleman the Chairman on Civil Service Establishments was not in the House, because he had accompanied him (Mr. Arthur O'Connor) to one of the large Departments where a number of copyists were employed. This was what they found. In one Department, where many men had, apparently, very little work to do, though they were receiving many hundreds of pounds a-year, they found one copyist in receipt of 10*d.* an hour who had for eight successive years been in possession of a confidential register, in which he had, with his own hand, noted down a *précis* of all the correspondence and information in the possession of the Secretary of State with regard to the

advance of the Russians in Central Asia. There were important secret administrative and military papers all handed to this unfortunate copyist, who, slave as he might, had absolutely no title to pension, and only a miserable allowance of leave—who was only one of the waifs and strays of the Office, except for his ability and integrity, which singled him out for speedy recognition in the Office. There were men not worth one-half so much as this man, who were receiving many hundreds of pounds a-year. In another room men were at work, and of these one only was a clerk upon the Establishment; all were engaged upon absolutely the same work, but the Establishment clerk received more pay for himself than the four others received altogether; he also had two months' leave of absence, the others had that period of holidays altogether; he was entitled to a handsome pension, they could claim no pension at all. Copyists were set to do work the value of which, when performed by others, was recognized and fairly paid for. Because a man was trustworthy, and had shown himself capable, he was compelled to do this work from fear of being turned out from his means of livelihood. Such men dared not refuse work, although they knew that in others payment for the same work was reckoned by hundreds of pounds. If they refused they must go. It was held out to them, when they undertook work at the lower rate of payment, that their work was of merely a mechanical nature; but faith was broken with them, and they were set to work which, in others, was paid for at the rate of ten times the remuneration they received. The amount of bonuses had been raised from £6,000 to £10,000, and he would be glad if the Secretary to the Treasury would say what that increase meant. Was it due to alterations by the scheme proposed two years ago, when the hon. Gentleman admitted the matter required looking into, and promised to inform him of the result, though he had never heard of it? He would now ask what the policy of the Treasury was as regarded these copyists generally, how many were in the Service, and what would be their future terms of employment?

MR. JACKSON said, he thought the hon. Member in his speech, as on a former occasion, had misapprehended altogether what had been done. The hon. Member had spoken again of the bonus given to copyists as equivalent to 6*d.* a-week, and for that bonus they were required to do important work. If he (Mr. Jackson) rightly gathered the drift of the hon. Member's remarks, he was under the impression the bonus to copyists was 6*d.* a-week. If that was so, he (Mr. Jackson) was glad to be able to clear away the misapprehention.

MR. ARTHUR O'CONNOR: No; I said at the rate of 6*d.* a-week.

MR. JACKSON said, that was very nearly saying the same thing. But he could explain in a moment the reason why the sum had been increased for bonuses and gratuities. It was due to two causes. Under the system by which bonuses were given to copyists who had served 12 years, the bonuses were cumulative, so that a man who was entitled to 6*d.* a-week in the first year, got 1*s.* a-week in the second year, 1*s.* 6*d.* in the third year, and so he went on. That accounted for part of the increase. The other portion was due to gratuities, though, on the whole, he believed these were showing rather a tendency to diminish than to increase. The amount paid, he believed, in gratuities since the date of the Treasury Minute, since March 31st last, was £6,638, and the total extra charge since December, 1886, to March 31 was £12,335. On the whole, he believed that the case of the copyists had been fairly met. He did not, for a moment, desire to say anything to create an impression that it had been liberally met; but he would point out that there was a little misconception as to the amount that copyists earned. It was frequently said in the House that they worked for 10*d.* an hour; but the Committee should understand that although it might be true to say that their rate of pay was at 10*d.* an hour, it must not be supposed that that sum was the whole of the money they received, because a considerable number of these copyists were engaged upon piecework, and some of them were receiving, he was glad to say, considerably more than what 10*d.* an hour for an ordinary working day of eight hours would represent. He had had an investigation made, and he found, when he came to inquire into the facts, that really their position was not quite so bad as it was sometimes said to be. He found the amounts they

had been receiving ranged from £80 to £200 a-year, and one curious fact was brought to notice, that when a copyist was on one occasion selected for promotion from that class—that of a Lower Division clerk—he declined the promotion, because it would involve a loss in his earnings.

MR. ARTHUR O'CONNOR: Because he would be placed at the very bottom of the class.

MR. JACKSON: Because, naturally, he would be required to comply with the rules of the Service, and must begin at the bottom of the class. Obviously, it would be unfair to sanction the transfer of a man who had not passed an examination, and put him over the heads of those who had, and who had worked for a number of years in the lower grades. But he hoped the Committee would now allow the Vote to be taken. He thought he was justified in saying he was not putting it too strongly when he said he believed the copyists contained among them a great number of men who did very good work, who made excellent public servants, and of whom he wished to speak in the highest terms, and though they were not too highly paid, he believed their case had been fairly met.

MR. ARTHUR O'CONNOR asked, how many were in the Service?

MR. JACKSON said, about 1,200.

MR. ARTHUR O'CONNOR: £10,000 among 1,200?

Original Question put, and *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £6,210, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1889, for the Salaries and Expenses of the Office of the Land Commissioners for England, and for defraying the repayable Expenses to be incurred in matters of Inclosure and Land Improvement, and under 'The Extraordinary Tithe Redemption Act, 1886.'"

MR. HENRY FOWLER (Wolverhampton, E.) said, he did not quite understand the accounts given which went to show the general expenses of the Commission, and the estimated amounts received back again; but he thought there would be no difference of opinion that this Land Commission ought not to cost the general taxpayer of the country a penny. The Commissioners carried on a business which was practically for the benefit of landowners only; they conducted exchanges principally, and a variety of other conveyancing work; and he maintained that they should charge fees on such a scale as would make the Office self-supporting. Perhaps the hon. Gentleman (Mr. Jackson) could say how the figures worked out; it seemed to him that the cost to the country was £10,000 a-year?

THE SECRETARY TO THE TREASURY (MR. JACKSON) (Leeds, N.) said, he thought the calculation of the right hon. Gentleman was correct. The expenses repayable were rather larger last year and this year, in consequence of the larger amount of work done in connection with the Act passed in 1886 with regard to the Extraordinary Tithe redemption. Of course the Commissioners were very anxious that the work should be done as promptly as possible, and, therefore, the amount expected to come in course of payment this year was larger than the amount usually expended, and included a portion of the expenditure for last year. It might be said that the net cost was about £11,000. He did not consider that his right hon. Friend held similar views in regard to this Commission to those he had expressed in reference to the Charity Commission. He had not neglected inquiring as to whether, by increase of fees or additional charges, this Land Commission might be made entirely self-supporting; and was not without hope that something might be done in that direction.

MR. LABOUCHERE (Northampton) said, it was obvious that the Commission could be made self-supporting by its fees; it was merely a business arrangement to make the fees cover the whole expenditure. It was a Department conducted for the benefit of the landowners; and why were those who were not landowners to pay a share of the expenses? Let those pay the expenses who derived benefit from the Department, and if nobody derived any benefit, let the Department be done away with; but in the name of goodness do not put upon the general public a charge for the benefit of one particular class who were supposed to be richer than others. There was not even so much ground for consenting to the

charge as there was in the case of the Charity Commission.

MR. ARTHUR O'CONNOR (Donegal, E.) asked, what amount of these expenses described as repayable had actually been repaid? because for the first year, at any rate, no repayments whatsoever were secured, and this fact came out before the Public Accounts Committee. Whether any had been paid since, he did not know; but possibly the Secretary to the Treasury could say what was the total expenditure under this head, and what amount had been paid.

MR. JACKSON said, he had not got the figures; but he would furnish the hon. Member with the information. He explained that the matter had been rather delayed in consequence of the necessity of taking what was known as a "test" case which should govern the whole of the cases.

DR. TANNER (Cork Co., Mid) rose to speak; but——

It being Midnight, the Chairman left the Chair to make his Report to the House.

Resolutions to be reported upon *Monday* next.

Committee report Progress; to sit again upon *Monday* next.

BANN DRAINAGE BILL.—[BILL 312.]

(*Mr. Arthur Balfour, Mr. Solicitor General for Ireland.*)

ADJOURNED DEBATE ON APPOINTMENT OF SELECT COMMITTEE.

Order read for resuming Adjourned Debate.

Motion made, and Question proposed, "That the Debate be further adjourned till Monday."

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) said, he wished to submit a question to the Speaker on a point of Order. He gave Notice last night, by speech and writing, that on the next occasion of this Bill coming before the House he should move that, in consequence of the exclusion of Irish Representatives from the debate on the second reading, the House declined to proceed further with the measure. That Notice had not appeared on the Paper; and the question he had to ask was, as the Speaker had been good enough to say earlier in the Sitting, that Irish Members would have full opportunity of debate on a subsequent stage of the Bill, in what form could their objections be raised, if not pertinent to the Motion for reference to a Select Committee?

MR. SPEAKER: The Motion before the House in regard to the Bill is, that it be referred to a Select Committee, and the Notice of the hon. Member is not relevant to that Motion.

MR. SEXTON: If that is so, and the only question to be debated is the constitution of the Committee, then in view of your announcement that Irish Members would have full opportunity to debate the Bill, I would ask you, Sir, in what manner that debate can be raised?

MR. SPEAKER: On the Report stage of the Bill.

MR. SEXTON: After it comes back from Committee?

MR. SPEAKER: After it comes back from Committee.

MR. TOMLINSON (Preston): The Bill goes to a Select Committee; will it not then be considered in Committee by the House?

MR. SPEAKER: It must come before the House.

Question put, and *agreed to.*

Debate *further adjourned* till *Monday* next.

UNIVERSITIES (SCOTLAND) BILL [*Lords*]—[BILL 318.]

(*The Lord Advocate.*)

SECOND READING.

Order for Second Reading read.

MR. HUNTER (Aberdeen, N.) asked some Member of the Government to say what was proposed to be done with this Bill; if it was to be proceeded with, or what day it was to be taken, and whether the Bill should not appear on the Paper, except on the day when it was really intended to proceed with it?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, he thought the hon. Member must see that it would be obviously impossible to say now, or long before hand, when the Bill would be taken. The Business of the House had to be arranged and governed by circumstances that arose day by day. But if the hon. Member would ask the First Lord, his

right hon. Friend would give all the information at his disposal.

Second Reading *deferred* till *Monday* next.

QUESTION.

CROWN LAND REVENUE OF WALES.

MR. T. E. ELLIS (Merionethshire) asked the Secretary to the Treasury, If he would consent to an Address for a Return showing the produce of the Crown Land Revenue of Wales from the year 1836 to the present, in the form set out in his Notice?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, he was afraid he could not do so; it would involve a great deal of labour, and he failed to see the value of the Return when produced.

MOTIONS.

EDUCATIONAL ENDOWMENTS (SCOTLAND) ACT, 1882 (CULLEN TRUST).

MOTION FOR AN ADDRESS.

DR. FARQUHARSON (Aberdeenshire, W.) said, the House had become somewhat out of training for late hours, and he felt that some apology was due from him for introducing that subject; but he hoped the discussion might not occupy much time. Scotch Members, at any rate, would feel that though the question in itself might be a small one, it was part of a question that was exciting much public attention—the action of the Commissioners in interfering with existing arrangements which had been found to work extremely well. There was no need for him to say much upon the general principle of the Act of 1882; that point had been well urged by the hon. Member for Roxburgh (Mr. A. R. D. Elliot) in relation to a kindred subject on the previous night. He had nothing to say against the Commissioners; they were able and patriotic men who did a great deal of hard and laborious work without fee or reward. The right hon. and learned Lord Advocate, however, seemed to think that because the Commission was appointed by Act of Parliament, they occupied a sort of angelic position, and it was not in the power of the House to alter or question their actions. That was not the general view in the country, nor could he (Dr. Farquharson) accept the judgment of the Commissioners as infallible, and the very fact that the procedure under the Act required that their proposals should lie before the House for consideration justified him in challenging the scheme. Avoiding any great detail, it was sufficient to say that the present scheme had relation to a part of the country in the constituency he had the honour to represent, and it had to do with an old trust left by Lord Cullen two centuries ago, for the benefit of the education of the poor in the parish of Monymusk, and the money was applied in virtue of a scheme framed in 1825 by the Court of Session, so that there was nothing antique or archaic in the way the trust was applied in carrying out the idea of the founder. A school was carried on on the North side of the Don, and a certain number of poor children received education, the fees being paid out of the trust. There was nothing in the way of doles in this case, nothing spent for maintenance or clothing; it was absolutely an educational endowment. The new scheme of the Commissioners was, that of the £90 a-year, the income of the trust, £25 only should be devoted to paying for elementary education, that £20 should go to the establishment of four bursaries, and the remainder to the general purposes of the school. What the people wanted was that instead of four bursaries there should be two, and that showed practically that the people of the parish, as might be expected of Scotchmen, and especially Aberdonians, men quite alive to the importance of higher education and the value of means by which the young could go from school to the University, but they thought that four bursaries was too large a proportion from this small endowment. They wished to have two bursaries, and further they desired to have it distinctly laid down that the bursaries should apply only to the parish, for they feared that the educational advantages might be secured by persons outside the parish. To secure the advantage of higher education upon a good groundwork of primary education, they wanted a sum devoted to the payment of pupil teachers, so that the head master might be set free for the higher education he would like to carry on, and they also wanted to erect a new school in a different part of

the parish, where the population had increased in consequence of certain quarry works being carried on. Of course, it would be said that that would have the effect of saving the rates; but he was bound to say he did not see why the rates should not be saved. He thought the arrangement the school board wished and the people wanted, which carried out the wish of the pious Founder, and, at the same time, duly recognized the importance of having higher education and bursaries, to enable boys to climb from school to the University, might well be granted. A letter from Mr. Grant, an excellent constituent of his, put the case clearly. He said the inhabitants of the parish were mostly labourers and crofters; there were very few large farmers, and the trust had been a great boon to them, as at present administered, enabling them to get through the trying times for agriculture; but the new scheme would be an additional burden laid on the rates which an agricultural district was not able to bear. Anyone who knew the condition of the agricultural districts in the North would admit the force of this. Further, his correspondent went on to express the opinion that the diversion of a large portion of the fund to the purposes of higher education was not in accordance with the wishes of the testator, who intended to confine the application of the fund to the parish poor. Without trespassing further on the time of the House, he thought he had shown grounds for modifying, if not altogether rejecting, the scheme of the Commissioners.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty praying Her Majesty to withhold Her consent from the scheme for the Management of the Endowments in the Parish of Monymusk, in the County of Aberdeen, known as the Cullen Trust, approved by the Scottish Education Department, now lying upon the Table of the House."—(*Dr. Farquharson.*)

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, this was another of those schemes similar in some respects to that which had occupied the attention of the House last night, and it occurred to him, as he was sure it would to other Members of the House who considered the matter dispassionately, that it was not in the least surprising that in this, and in a large number of similar cases of small trusts, when the Commissioners came to revise the application of the funds, whatever they did must, to a certain extent, be unpleasant to some people in the parish where the endowment was situated, and must, to a certain extent, tread on the toes of people a little sensitive on the subject. This was inevitable, and it was therefore not unreasonable, from their point of view, that these people should find means to get their objections expressed in that House, and should endeavour to get the scheme altered to meet their views. But if that course were generally followed, it would probably result in two Bodies coming to the House for judgment—the Commissioners appointed under Act of Parliament, and the self-established Commissioners of the locality. Now, he asked hon. Members to consider whether it was possible for the House to go into the details to enable it to come to a sound decision between these two parties? The Commissioners were in an independent position for making full inquiry, for hearing all sides of the question, and deciding as they thought best, and certainly without any bias whatever in favour of one view, or necessarily antagonistic to the views of others. In the present instance, the amount of the income of the trust was £94 a-year, and the endowment was about 200 years old. As the hon. Member (Dr. Farquharson) said, there was a re-arrangement, in 1825, by the Court of Session; but the whole educational arrangements for primary education in Scotland had completely changed since the scheme was arranged in 1825. It was now established, as part of the duty of the ratepayers all over the country, to provide education for the community, on the footing that expenses not met by the payment of fees should fall upon the rates. Hitherto, a considerable part of the expenditure for education in this parish had been paid out of the trust, and it had not been thought desirable to continue that state of things. He thought he was right in saying that there was a little want of logic in stating that because hitherto a district had been exempt from the burden it should continue to be exempt from a burden that had been shared by all their neighbours ever since the passing of the Education Act. Sir William Grant, in reference to the scheme, said his tenants would

have to pay a charge from which his ancestor expressly desired to free them. But he (Mr. J. H. A. Macdonald) had a higher opinion of the intention of his (Sir William Grant's) ancestor than that. The intention was to provide for the education of poor children by the payment of fees under a state of things totally different to that of the present day, which required an entirely different treatment. The Commissioners proposed to devote £25 to the payment of the fees for poor children; and as the population was not large, this was in proportion a considerable sum, and to that extent there was necessarily a saving of the rates. [Dr. FARQUHARSON: Only after competition.] He was not speaking of details, but referring to the allocation of money saving the rates. Then £20 were given for small bursaries for poor childen, one higher bursary was established, and the rest was given to the school board to help the general work of school improvement. All these things would benefit the community. It was all very well to say only a certain portion of the population would get the benefit of the bursaries; but surely the benefit of all classes should be considered. The hon. Member had himself shown that it was not at all to the general scope of the scheme that objection was taken, but rather to the number of bursaries. But was that a matter for the House to dispose of when it had no opportunity of inquiring into details? If that was a matter that could not be entrusted to the Commissioners, then the Act of 1882 could not be administered at all. After consideration of all details and objections that could be urged, the Commissioners had, upon their responsibility, arrived at a decision which the House should not, in a more or less haphazard fashion, override. Only one other point required attention, and that was the claim that a portion of the fund should be applied to the establishment of a school at a place at a considerable distance from that the testator desired to benefit. It was not a residential part, but quarries were being worked, a valuable industry was being vigorously and successfully carried on, and many hands were employed. But if this venture was producing successful results in dividends to shareholders, and work to the labouring population, he did not see why the endowment should be drawn upon to secure educational advantages which the district might well provide for itself. But he thought the House would not be disposed to enter upon the details in reference to the scheme, but would trust the decision of the Commissioners, seeing that nothing had been shown to justify an alteration of that decision.

MR. ESSLEMONT (Aberdeen, E.) said, it was certainly a new experience to find himself in opposition to his hon. Colleague. It would not be denied that he had some claim to express an opinion, as he had given to the subject of these bequests considerable attention during the last 20 years, and he took the opportunity of entering his protest against the sentiment expressed on those Benches last night, that those who favoured the schemes of the Endowment Commissioners were endeavouring to deprive the poor of their patrimony. That accusation could not fairly be levelled against him. He contended, when he was accused of taking the fund from the poor, when the fund was diverted from elementary education, or eleemosynary purposes, that the object was in quite the opposite direction. What he desired in regard to these bequests was to apply them to the benefit of the poor in circumstances when no other fund came to their aid. Provision had been made by the Poor Law for the maintenance of the poor, and by the Education Act for elementary education; but there was no provision for the poor in respect to secondary or higher education, and the object of the Endowment Commissioners had been throughout Scotland to give poor children the opportunity of securing, by their own efforts, a higher education. He had no objection to any amount of restriction, and he understood such restrictions were embodied in the present scheme—to the effect that this secondary education should only be given to the poor who had no means but by these bequests of receiving that higher education. He thought there was a disposition on both sides, because the Charity Commissioners in England had not, in the opinion of many, used the funds under their control as they ought to have used them, to visit the sins of this Commission upon the Endowment Commissioners of Scotland. He had little in common with the Nobleman who was Chairman of

this Commission; he was an opponent in politics, and generally they found themselves of different opinions. But, although that was the case, he was bound to say that Lord Balfour, and the other Commissioners, had entered upon their work in the most liberal spirit, and had certainly, so far as he was able to judge, given earnest attention to the various endowments with which they had dealt in a fair-minded manner, without regard to Party, and certainly in harmony with modern ideas. His hon. Friend had referred to what happened in 1825; but his hon. Friend would not contend that the circumstances of even such an intelligent county as Aberdeen had not greatly changed since then. He would appeal to his hon. Friend not to press this matter to a Division. He would understand that the House had no power to alter the scheme, only the power to reject it by means of an Address. At present, there was a constitution whereby the fund was administered by the heritors and two parish ministers; and surely his hon. Friend did not object to the addition of two members of the school board popularly elected? At present, the school was conducted on the footing of no Government grant; but if the scheme was carried out, a sum would be raised for the parish equal to two-thirds of the Endowment by Government grant, and the school would be managed equally in the interest of the poor, with the advantage of Government inspection and grant. Under the circumstances, his hon. Friend would do well not to press the Motion. It would be quite impossible, as the right hon. and learned Lord Advocate said, to frame a scheme that would be in harmony with the views of the whole of the community; but he would remind the House that the trustees of this endowment had the opportunity of proposing a scheme themselves, and it was quite within their power to urge their objections to the scheme of the Commissioners upon the Education Department. They had that opportunity, and failed to appear before the Education Department with a better scheme, and it was unfortunate that they should only now offer opposition. He submitted that it would be better if this scheme did not work out so well as was desired, to take the opportunity of getting it amended; but meantime he could see no grounds for rejecting the proposed scheme.

MR. A. R. D. ELLIOT (Roxburgh) said, he hoped his hon. Friend (Dr. Farquharson) would press his Motion to a Division. Nothing said by the hon. Member for East Aberdeen (Mr. Esslemont) induced him to alter his opinion that the poor, who were the beneficiaries of the trust, would suffer by the proposed change. The hon. Member said it was not in the power of the House to modify the scheme, but only to reject it; but this was not correct, because, under the Act, it was competent for the House to address the Crown in favour of consent being withheld to any part of a scheme, and so the House had a power to modify any such proposal. He also protested most strongly against the argument of the right hon. and learned Lord Advocate, that it was not in the power of the House to thoroughly investigate these schemes. If that were so, what was the object of the scheme being laid before the House? It was the duty of the House to go into these schemes, and he regretted that there was no better method than by raising a discussion at a late hour. It had been said by the right hon. and learned Lord Advocate, and by the hon. Member for East Aberdeen, that the whole circumstances were changed, and that the poor were provided with educational and other advantages from the rates; and, therefore, the poor were no longer entitled to the fund left for their support. That was a faulty argument. Because persons without means altogether had a right to support from the rates did not give any moral title to those who wished to take away property left in trust for a certain purpose, purely on the ground that if it was so taken away for some other good object the beneficiaries would not be left destitute, seeing that they could get support from the rates. Men liked to be provided for from their own means, and it was unfair and unjust to take away those means, on the ground that the law had made provision for them from the pockets of others. He hoped his hon. Friend would go to a Division, and receive the support of a large number of Members.

MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities) said, he

wished to state exactly what the condition of things at present was, and what it would be under the new scheme. The greater part, almost the whole, of this endowment had been applied to the maintenance of a small school in Monymusk, attended by about 50 children. The school had never been under Government inspection, and had, therefore, never enjoyed the benefit of the Government grant; the endowment had simply been relieving the rates to the extent of educating some 50 children. What was proposed was that the school should be handed over to the school board of Monymusk, provided the board undertook to carry it on, making arrangements, if necessary, with the board of an adjoining parish a portion of which was served by the school. Part of the fund was to be applied to free scholarships—that was to say, the payment of school fees; small bursaries, three in number, and one higher bursary were to be established; and the balance was to be handed over to the school board of Monymusk for the improvement of the school, but so as not to interfere with the obligations of the board under the Education Act. The assistance that would be given would not be for such expenditure as under the Act the school board would reasonably be required to incur—the endowment would not be applied in such a way as to serve in lieu of the ordinary school rate—so that the poor would have the full benefit of it, as something in addition to what was provided by law. With regard to the free scholarships and the bursaries, they were all confined to children whose parents or guardians were in such circumstances as to require assistance for the education of the children under their charge. None others would receive that assistance. That being so, he hoped the House would see that it was not a scheme really open to such charges as had been brought against it by the hon. Member for West Aberdeenshire. In fact, the chief point of difference between the hon. Member and the Commissioners seemed to be that while he thought two bursaries would be enough they thought there should be four.

Question put.

The House *divided*:—Ayes 51; Noes 96: Majority 42.—(Div. List, No. 233.)

Mr. J. A. Campbell

ADJOURNMENT.

Motion made and Question proposed, "That this House do now adjourn."

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) said, he wished to say one word with regard to an appeal which was made to him by the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) the other day. The right hon. Gentleman had asked him to use his influence to prevent the assembling of people in Trafalgar Square. He had not, at the time, been able to respond to the right hon. Gentleman's appeal, because he saw no chance of any efforts he made in that direction proving successful; but he saw now that the Bow Street Magistrate had consented to state a case for the opinion of the Court of Queen's Bench, which would raise the question of the right of public meeting in Trafalgar Square. That being so, he would do all in his power to prevent people assembling in Trafalgar Square whilst the cases were *sub judice*.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.) said, that if he might be allowed to say so, he had heard the hon. Member's statement with great satisfaction.

Question put, and *agreed to*.

House adjourned at five minutes before One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 23rd July, 1888.

MINUTES.]—PUBLIC BILLS — *Committee* — Companies Clauses Consolidation Act (1845) Amendment (170-230).

Third Reading—Patents, Designs, and Trade Marks (225); Solicitors (226), and *passed*.

Withdrawn—Foreign Meat (206).

PROVISIONAL ORDER BILLS—*Second Reading*—Local Government (No. 13)* (207).

Report — Commons Regulation (Therfield Heath)* [228].

POLITICAL PARTIES IN 1880-82.—SIR RICHARD CROSS (VISCOUNT CROSS).

PERSONAL EXPLANATION.

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): I hope your

Lordships will allow me to make a brief personal explanation. My attention has been called to a letter from Sir William Harcourt, addressed to Mr. Herbert Gladstone, in which he quotes the following passage from *Mr. Forster's Life*, and draws an argument from the statement therein made:—

"At this time, it must be borne in mind, the Tory Party showed strong signs of a desire to conciliate the Irish Representatives. *The Quarterly Review* had been sneering at the arrests of suspects by the cartload. Sir John Hay had given Notice of a Motion condemning the Protection Act and the suspension of trial by jury; and Sir R. Cross, on the part of the official Conservatives, had notified his intention to move, as an Amendment to Sir John Hay's Motion, a Resolution in favour of the immediate release of Mr. Parnell and his fellow-Members. Ministers, who had been abused with such vehemence a few weeks before because they were supposed to be dealing with the Nationalist Party in Ireland with criminal leniency, now found that the Tory Party were prepared to attack them on the opposite ground."

I cannot account for the mistake, made either by the editor or by Mr. Forster's own notes, as the Notice of Amendment there referred to was made by the late Mr. J. Kynaston Cross, then Liberal Member for Bolton, who was certainly not an official Representative of the Conservative Party, and not by myself. The argument founded on that statement, therefore, falls to the ground.

RAILWAYS (IRELAND)—PURCHASE BY THE STATE.

QUESTION. OBSERVATIONS.

LORD GREVILLE, in rising to ask Her Majesty's Government, If they will during the Recess consider the desirability of bringing forward next Session a Bill for the purchase by the State of the Irish Railways? said: My Lords, I hope to awaken the attention and enlist the sympathy of all who in this House are interested in the future prosperity of Ireland; and in so doing I am most desirous, at the outset, to make it clearly understood that I do not approach the subject from any political point of view. As an Irish landlord, who is deeply interested in the welfare of his country, I am desirous, if possible, of raising this subject altogether out of the region of Party into one of national importance. The question of the Irish Railways has been the subject of Royal Commissions and Committees from time to time, the practical outcome of which has been *nil*. It is admitted on all sides that the present administration of the Irish Railways has never been strong, efficient, or popular, and has no hold upon the public confidence. Apart from the question of Irish Government, which I have said I do not intend to discuss, there is no practical difficulty in the way of the State acquisition of the Irish Railways. My object will be to show that Ireland offers a promising field for the trial of an experiment which has achieved so much success in other countries, and in our own Colonies; and whatever Government is, or may be, responsible for the administration of Irish affairs, they could put their hands to no more hopeful labour than that of placing the Irish Railways on a basis of State ownership, to be managed primarily for the advancement of national industries. The evidence taken by the Royal Commission on Irish Industries in 1886 shows that trade in Ireland is in a languishing—almost vanishing—condition. As witness after witness was called, it was one long story of over-bearing competition, of manufactures declining, of the absence of industrial activity, of enfeebled resources, and unprofitable results. It was a country of all others which required a powerful stimulus of a nature applicable to every kind of industry. It is impossible for any Government to take all the interests of Ireland under its protection. Yet that is, in effect, what the various trade witnesses ask for. There is but one way in which they could all be helped, and that is by dealing with the railways. By this means an incentive may be given to exertion; and whatever elements of self-help exist in Ireland may be brought into operation and given a fair field. The railways are inseparably connected with the success or failure of all other industries, from agriculture downwards. It is just as important to deal with the railways as with the land, since no land reform will be productive unless there is cheap access to the market. It is, no doubt, very important that something should be done for the Irish Fisheries; but no money spent in this direction can secure a proper return unless cheap means of transit are provided. The improvement of the Irish harbours may also be a good object in itself. The harbours are, however, usually useful just in proportion as they are connected with

an efficient railway system. The Royal Commission appointed in 1836 to consider a general system of railways for Ireland recommended two divisions, one Northern and one Southern, with certain trunk and branch lines. To avoid a partial execution of the plan it was proposed that the Government should, in certain events, undertake the construction of the railways as public works. The Ministry adopted the view of the Commission, and introduced into Parliament measures authorizing them to construct certain lines, the arrangements for which were to be vested in a Board of Works. The House of Commons approved the proposals; but they were subsequently adandoned, with the result that Irish Railways were left to private enterprize, which, successful in England and Scotland, had been in Ireland a conspicuous failure. From the outset the efforts of the Irish Railway Companies had to be bolstered up by State loans, sometimes for the purposes of construction, sometimes to pay off liabilities. Ever since 1842 the Government has, in a grandmotherly way, looked after the Irish Railways, seeing them through trials of infancy, and coming to their relief in times of emergency. They are characterized by high charges, slow speed, insufficient accommodation, and poor dividends, and if Irish evidence is reliable at all they are a tax rather than an assistance to the Irish people. The administration of the Irish Railways is notoriously wasteful. According to *Bradshaw's Railway Manual* there are 303 directors, 97 secretaries, engineers, and managers, besides about 60 auditors and solicitors, engaged in the administration or railways, the mileage of which is not largely in excess of that of the English Great Western. Mr. Finlay says—

> "There would be no difficulty whatever in managing the whole of the railways by one Board of Directors, one manager, and one locomotive superintendent."

The London and North-Western Railway, the capital of which is three times greater and the receipts four times greater than the capital and receipts of all the Irish Railways put together, and which carries three times the number of passengers, and nine times the tonnage of minerals and merchandize, is managed by a Board of 30 Directors, a Chairman, two Deputy Chairmen, and one General Manager; the Board meeting once a month. When English Railway officials are asked for an explanation of the difference between English rates and Continental rates the invariable answer is that the Continental Railways cost about two-thirds less to construct. But so have the Irish Railways—in round figures, the English lines cost about £40,000 per mile, the Irish lines about £14,000 per mile. It is probable that agriculture, as the chief of the Irish industries, suffers most; but all industries are crushed, while no attempt can be made to establish any new industry. The railways have killed the milling interest. The witnesses say that you may count the silent mills by thousands. The freight turns the scale against home produce. Upon the whole, it can hardly admit of doubt that the through rates are for the advantage of the Irish people. They are able to buy in the best market and sell to the best market. There has been an enormous development of intercourse between the two countries since the Traffic Conference was established. On the other hand, to a certain class of producers and traders it constitutes the same kind of grievance as that felt by English producers when foreign produce is carried over English lines at lower rates than English produce. The recognized wants of Ireland are—(1) A large reduction in rates and fares. (2) Amalgamation and harmonious management. (3) Extension and completion of connecting lines. How were the wants to be supplied? As to rates and fares, it is desirable that the local rates should be reduced to the level of the English through rates. As to amalgamation and harmonious management, that will necessarily follow upon State purchase. There will be one Board of Management and one set of officials. As to extensions and completion of connections, no doubt the Government who take this great subject in hand will have the best advice as to the best means of developing the present railway system. According to the plan which I have described, I estimate that there will be a profit to the Government in the 11th year of £50,000 and in the 13th year of £90,000. I have brought this matter before the House in the hope that the Government may see their way to deal in some way, if not by State purchase, with the ques-

tion; because, unless something is done to improve the position of Irish Railways, I fear that, unfortunately situated as the country is at present, its material condition will become a good deal worse. I hope the Government will give a favourable consideration to the subject.

THE LORD PRIVY SEAL (Earl CADOGAN) said, he feared their Lordships would be somewhat weary of the answers which it was his duty to give to those noble Lords who from time to time invited the Government to take immediate steps in accordance with the recommendations contained in the Report of the Royal Commission on Irish Industry. With regard to the question of railways, he was afraid it was undoubtedly true that the condition and management of railway communication in Ireland could hardly be said to be in a satisfactory state; but he could not at present say more than that Her Majesty's Government had on more than one occasion intimated their intention of dealing, at no distant date, with the whole question of the interests of Ireland. The particular matter brought forward by the noble Lord had already engaged, and was now engaging, the attention of the Government, and it would be premature in him to say anything more on the present occasion.

FOREIGN MEAT BILL.—(No. 206.)

(*The Lord Lamintgon.*)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD LAMINGTON, in moving that the Bill be now read a second time, remarked that when foreign meat was first introduced in this country people were wont to buy it at the rate of 3*d.* or 4*d.* per lb., but that was now entirely changed. This meat was bought by the different meat dealers, but he had never seen that it was announced in any shop—"Foreign meat sold here." The effect was that British meat was reduced in price, and that foreign meat was raised to the level of price of home-grown meat, both kinds being sold at a uniform rate of 8*d.* or 9*d.* per lb. Now, the Bill he submitted to the House was of the very simplest character, and it proposed that any person who should sell or expose for sale, either wholesale or retail, any foreign meat should exhibit a notice to that effect in a conspicuous part of the establishment, subject to certain penalties. Simple as the Bill was in its terms, he believed it would be an estimable boon to all classes—on the poorer classes as well as on the agriculturist—by doing justice to British produce. Like the Oleomargarine Bill and the Food Adulteration Act, the Bill simply required dealers to say what they sold, and he begged to move the second reading.

Moved, "That the Bill be now read 2ª." —(*The Lord Lamington.*)

LORD TRURO said, he thought the public would be very much indebted to the noble Earl for introducing the Bill. He was not quite satisfied that it would have as much effect as possibly the noble Lord anticipated; but it was satisfactory to know that it was about the first step that had been taken in the direction of repressing those innumerable small frauds both in regard to sale and adulteration, of which the poorer classes were constantly being made the victims. The time had certainly arrived when such a step should be taken.

LORD STANLEY OF ALDERLEY said, he hoped their Lordships would pass the Bill; but he would suggest that it should be made to apply also to foreign cheese, since American cheese was said to be much adulterated with oil, which allowed of its being made at less cost than cheese made from milk.

THE SECRETARY TO THE BOARD OF TRADE (The Earl of ONSLOW) said, the Government were not wanting in sympathy with the object which the noble Lord had in view, and that, if the existing law was insufficient to prevent people from selling an article under a false name different from that which they professed to sell, he agreed with him that a legislative remedy should be found. He had not yet heard, however, that the noble Lord had accepted the advice he tendered to him the other day—namely, that he should institute a prosecution, and ascertain for himself whether or not the law was defective in that respect. He was afraid the Bill would not attain the objects the noble Lord had in view; no penalties were mentioned for an infringement of its provisions, and the Licensing Authority was not stated. It was assumed that butchers would be divided into two classes—those who put

up a notice that they were dealers in British and foreign meat, and those who did not; and that customers would be driven away entirely from those who put up such notice. It seemed more likely, however, that every butcher would take out a licence, and that when a customer came and asked about foreign meat the butcher would say that he sometimes sold it, and so was obliged to exhibit the notice, but that at the particular moment he had nothing but the best British meat. Again, this notice would appear outside the shop only; there would be nothing on the carts to indicate whether the tradesman was a dealer in foreign meat or not. What the noble Lord had to do was to show how he could tell the difference between a British steak and a foreign steak. For his own part, he thought it would be extremely difficult to do so; but until that could be done he was afraid that it would be impossible to put an end to the frauds. Perhaps it might be found possible to extend the system of marking joints of meat adopted by the Jews; however, until they could in some way earmark the particular joint, he did not see how they could put an end to the fraud complained of. With reference to the Bill itself, the noble Lord in the Preamble asserted that the present statutory law was insufficient to prevent fraud in this direction; but he had done nothing to prove that that was really the case. It might be so or it might not; but, for his own part, he was advised that the present law was sufficient. Then the noble Lord's Bill went on to define foreign meat as that of animals produced elsewhere than in Great Britain and Ireland and the Channel Islands. That was, in his opinion, a poor compliment to their Colonial Possessions, and he hoped that our Colonies would not hear that the noble Lord called meat "foreign" which came from them. With regard to the words "produced elsewhere," he did not know who the friends and clients of the noble Lord were; but if they were the large farmers and graziers of the country, he did not think that they would thank the noble Lord for endeavouring to put restrictions upon animals produced abroad and imported alive into this country. With regard to licences, the Bill did not say how they were to be obtained, or at what cost. He thought that while the proposed restriction would be to a very great extent ineffectual, so far, at least, as the interest of the poor consumer was concerned, it would have the result of enabling the butcher, who already made no small profit, to say that in consequence of the action of the noble Lord and of Parliament he was obliged to put up the price of home-grown meat, and that increase of price would probably be extended to foreign meat as well. In his opinion, the result would be much the same as had happened in France, where a Bill had been passed only allowing meat to be imported in whole carcases or in three or four portions which could be shown to fit together. The result there had been largely to raise the price of beef. There was very likely some truth in the assertion that American beef was sometimes palmed off upon the consumer as British, but he was afraid that that was not confined to the matter of beef alone. A large amount of cheese made in America had been sold as British, and he was informed also that until recently a quantity of bacon and ham had been brought into this country and sold as Cumberland and Wiltshire bacon; but since the Merchandize Marks Act the Custom House Authorities had been able, to some extent, to grapple with that difficulty. He understood also that lard imported from America and sold as British was, to a large extent, made of oil and the fat of pigs which had died a natural death. All this was a great evil, and one which required to be looked into. Again, he believed that much horse flesh was used in the Bologna sausages and polonies sold to the poorer classes. While he would not ask their Lordships to reject the Bill, having regard to the advanced period of the Session, he would put it to his noble Friend whether it was desirable to proceed any further with it if the House affirmed the principle of the Bill by reading it a second time that afternoon? He would undertake in the beginning of next Session to move for a Select Committee of their Lordships' House to inquire into the whole subject of selling foreign food articles under the name of British, and he hoped that with the information which that Committee would obtain the Government would be enabled to bring forward a Bill drafted in a manner more

likely to attain the object than that of the noble Lord.

THE EARL OF KIMBERLEY said, that he was somewhat surprised at the conclusion at which the noble Earl had arrived with regard to this Bill, considering the objections which he had urged against it. For his own part, while he was in favour of the principle that all things should be sold for what they actually were, he would suggest that it would be far better for the noble Earl to consent to the withdrawal of the Motion for the second reading after the statement made on behalf of the Government, than that their Lordships should be asked to affirm the principle of a Bill which was so imperfect as the one which had been introduced.

LORD LAMINGTON thought that the noble Earl who had spoken for the Government had been rather severe on his Bill; but after what the noble Earl had said he would withdraw his Motion.

Motion (by leave of the House) *withdrawn*: Then, Bill (by leave of the House) *withdrawn*.

WAR OFFICE—THE VOLUNTEERS—TRANSPORT—COLONEL GORDON IVES.

QUESTION. OBSERVATIONS.

LORD TRURO, in rising to ask, Whether, inasmuch as no scheme for providing the Volunteer Force with proper transport had been yet issued by the War Department, Her Majesty's Government would be willing to adopt that recently initiated by Colonel Gordon Ives? said, that, as far as he knew, no steps had been taken by the Government towards providing proper transport for the Auxiliary Forces; at all events, no system of any kind had been promulgated, and up to the present time they had been left in ignorance of any mode or scheme of any sort for the transport of commissariat and ammunition for these forces. He was aware that those who brought forward these matters were spoken of as alarmists, but the object of his question was quite the reverse of this; it was, if possible, to stir up the Government to take such steps as would render the Auxiliary Forces adequate to the duties which they had undertaken. The question of proper transport was a most important one. One special feature in the Magdala Campaign had been the admirable way in which the Commissariat arrangements had been carried out; while, on the other hand, they could not fail to remember the effects of the failure of the Commissariat in the Crimea. In the war between Germany and France a great part of the disasters which had occurred had been due to unsatisfactory Commissariat arrangements. The Auxiliary Forces of this country would not, without proper transport, be able to perform their duties in time of need, and the inevitable result would be panic and disaster. A very active and zealous officer of the Volunteer Force had ventured to obtrude upon the Government a scheme which, though carried out only on a small scale, had, he believed, been found admirable. He had drawn up terms of contract with persons in possession of horses and waggons, and had them numbered, so that in case of war the Government could purchase them for immediate use. Perhaps the noble Lord would state whether the Government had made any contract of a like nature, or whether we were to wait for a lengthened period before the Transport Service of the Auxiliary Forces was fully organized?

THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS) said, he believed that two schemes whereby the Volunteer Force might be provided with transport had come before the Secretary of State for War. One was known as Sir William Humphrey's scheme, and the other as that of Colonel Gordon Ives. The scheme of Sir William Humphrey was reported on last year by the General Officer commanding at Portsmouth as highly satisfactory, and the result was that the Secretary of State for War consented to its being tried by, he believed, 10 corps in different parts of England. It was now being tried, and he believed would prove a success. In that case there was a small Government contribution. The scheme of Colonel Gordon Ives was entirely voluntary. In that case, also, the attention of Volunteer corps had been called to the matter, and he was informed by the Quartermaster General that a considerable number of corps had provided themselves with transport equipments under one or other of these schemes. He could assure the noble Lord that their best consideration was being given

to the subject by the Military Authorities.

House adjourned at half past Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 23rd July, 1888.

MINUTES.] — SELECT COMMITTEE — Small Holdings, *appointed* and *nominated*.

PUBLIC BILLS — *Ordered* — *First Reading* — Sanitary Registration of Buildings * [342].

First Reading—Archdeaconry of Cornwall * [341].

Second Reading — Members of Parliament (Charges and Allegations) [336], *debate adjourned;* Forest of Dean Turnpike Trust [337].

Referred to Standing Committee on Trade, &c.— Merchant Shipping (Life Saving Appliances) [290].

Report of Select Committee—Burgh Police and Health (Scotland) [No. 294].

Committee — Report — Third Reading — Law of Distress Amendment [283], and *passed*.

Withdrawn—Metropolitan Fire Brigade Expenses [113]; Marriages of Nonconformists (Attendance of Registrars) (No. 2) [205]; Torquay Harbour and District Act (1886) Amendment [279]; Divorce Cases (Perjury) [328].

PROVISIONAL ORDER BILL—*Second Reading*— Elementary Education Confirmation (London) * [334].

QUESTIONS.

ADEN — REPUTED SURRENDER OF DHALA AND MOUNTAIN DISTRICT.

MR. SYDNEY GEDGE (Stockport) asked the Under Secretary of State for Foreign Affairs, Whether there is any truth in the rumour that the Government are negotiating with the Turkish authorities of Yemen for the surrender to them of Dhala, and the mountain district of which it is the centre, and to put an end to the British Protectorate which has existed for nearly 50 years to the great benefit of the Native population; and, whether the Government are aware that Dhala and its vicinity are well fitted to be a sanatorium for the British inhabitants of Aden, being 4,000 feet above the sea, having a beautiful and healthy climate, and being easily accessible from Aden?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): There is no truth in the rumour.

NATIONAL EDUCATION (IRELAND)— EXAMINATIONS FOR TEACHERS, &c. — THE GOVERNMENT TRAINING COLLEGE.

MR. BIGGAR (Cavan, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If, at the July examinations for teachers and monitors in 1887, the superintendent at Coleraine called the attention of those being examined to the Government Training College, with the view of exhorting them to go there; if he did this by instructions from his superiors; and, if all other superintendents received similar instructions?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Commissioners of National Education inform me that a large number of monitors, whose final examination fell due in July, 1887, had been, prior to the examination, recommended by Inspectors as suitable candidates for admission to the Marlborough Street Training College. The superintendents of the July examinations were accordingly instructed to intimate to the monitors at Coleraine, as at all other centres for examination, that, in the event of their passing satisfactorily their final examinations which they were about to undergo, they would be eligible to present themselves at the ensuing competitive examination for the vacancies to be filled in the Training College.

THE RIVER THAMES — THE BOAT-HOUSE ON THE HAMPTON RECREATION GROUND.

MR. DIXON-HARTLAND (Middlesex, Uxbridge) asked the Secretary to the Treasury, What steps the Commissioners of Woods and Forests intend taking if the proprietor of the new private boat-house, on the Hampton Recreation Ground, elevates the same above the summer level of his old houses; if he can state why the sites and privileges granted, which are worth £1,000, are to be parted with against the wish of the parish to a private speculator at so low a rental as £5 per annum; how many ratepaying inhabitants of Hampton signed the requisition to the Woods and Forests for the latest grant; what claim has the Thames Conservancy to any por-

tion of the sites or foreshore on which the new boat-house is being erected, and on which the old houses stand, or have they any authority over the same; why did the Board sanction the erection of the building in dispute, in direct violation of the compact entered into by them with the parishioners in their letter of October 13, 1885; and, if the Conservancy have no claim or rights between the boundary posts and the water's edge in this locality, is it a precedent as regards their jurisdiction over all other portions of the Thames?

SIR HERBERT MAXWELL (A LORD of the TREASURY) (Wigton) (who replied) said: The Commissioner of Woods has no reason to think that Mr. Constable will elevate the new boat-house beyond the sanctioned height. The rents paid by Mr. Constable were fixed on the advice of a competent surveyor. Prior to the letting in 1880 Mr. Constable's application was supported by 14 residents of Hampton, and by 13 residents chiefly of Moulsey. I am not aware that there was a requisition in favour of the new boat-house. The site of the new boat-house is not foreshore; and the Commissioner of Woods is not aware that the Thames Conservancy Commissioners claim any interest in, or authority over, it. No letter relating to this land of the 13th of October, 1885, can be traced; and the Commissioner of Woods is not aware of any compact between his Department and the parishioners. As regards the last paragraph, the land held by Mr. Constable is no part of the Thames, though possibly, like much other land abutting on the river, it may be at times flooded by the river water.

SCOTLAND—THE CROFTERS—ASSISTED EMIGRATION.

MR. J. W. BARCLAY (Forfarshire) (for Dr. CAMERON) (Glasgow, College) asked the Lord Advocate, Whether he has any objection to lay upon the Table of the House a Return setting forth the names of the head of each crofter family emigrated to North America under the Government emigration scheme, giving the sex and age of each member of each family, and stating the name of the landlord from whose estate each family was removed; giving, further, the total amount expended in the case of each family up to the date of landing in Canada, and the estimated amount remaining available out of the £120 granted for the establishment and maintenance of each family after defrayal of all expenses up to arrival on homestead selected for settlement?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): Official information in relation to some of the matters referred to in the Question is in course of being obtained; and I hope to be able shortly to show the hon. Member the form for a Return which will practically give the information he desires.

BANN DRAINAGE BILL—COMPENSATION TO OFFICIALS.

SIR CHARLES LEWIS (Antrim, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that officials of many years' service will be deprived of emoluments on which some of them have to live, and will be deprived of their livelihood by the Bann Drainage Bill; and, whether he is prepared to propose the granting of reasonable compensation to all whose employment or office is so destroyed by the Bill?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have no official knowledge about the matter referred to in the first paragraph of my hon. Friend's Question. I presume he refers to the servants of the Navigation Company. This Company spends annually £1,100 in keeping up the navigation, and receives £70. I cannot advise, therefore, that the navigation be maintained; and I conceive that it is not the duty of the Government to award compensation to any servants but its own. At the same time, I should be glad if these persons could be employed on the drainage works.

THE LORD MAYOR OF DUBLIN (Mr SEXTON) (Belfast, W.) asked, was it not a fact that these men would not be deprived of anything unless this Bill passed into law?

MR. A. J. BALFOUR conceived that that was so; but he was not certain.

MARGARINE ACT, 1887—PROSECUTION AT THE WESTMINSTER POLICE COURT.

MR. J. W. LOWTHER (Cumberland, Penrith) asked the Secretary of State

for the Home Department, Whether his attention has been called to the report of a prosecution at Westminster Police Court on the 17th instant, under "The Margarine Act, 1887," for selling margarine without labelling it in accordance with the Act; whether Mr. Partridge adjourned the case *sine die* on the ground that no sample of the article was produced in Court, although Mr. Partridge is reported to have admitted that the Margarine Act did not require such production; and, whether, notwithstanding this admission, Mr. Partridge stated that he should in future require such production?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have obtained a Report from the magistrate, who does not say that he made the admission suggested. On the contrary, he is of opinion that the provisions of the Food and Drug Act being applied to proceedings under the Margarine Act the production of samples is necessary. He adjourned the case, leaving it to the prosecution to supplement the evidence in the manner which he considered equitable, and in accordance with the intention of the Act.

LAW AND JUSTICE (IRELAND)—"THE QUEEN *v.* BEATIE" — ALLEGED FAILURE OF JUSTICE.

MR. ARTHUR O'CONNOR (Donegal, E.) asked Mr. Solicitor General for Ireland, Whether his attention has been called to the failure of justice in County Donegal in the case of "The Queen *v.* Beatie," in consequence of the absence of a full Grand Jury and a difference of opinion amongst those attending; whether he will inquire into the cause and origin of the difference; whether he will personally examine the depositions, and ask for Reports from the Crown officials; and, whether, if satisfied that there should have been a trial before a jury, he will see that the precedent set in former cases in Donegal of again sending up a bill to the Grand Jury will be followed in this case?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) (who replied) said: My attention has been called to the case referred to by the Question of the hon. Member for East Donegal. I have communicated with the Attorney General for Ireland, with whom it rests, what action should be taken in the matter. He informs me that he has called for a full Report from the Crown Solicitor; that he will examine into the whole case, and give such directions as the facts appear to him to warrant.

REGISTRATION OF VOTERS (IRELAND)—REMUNERATION OF CLERKS OF THE PEACE.

MR. ARTHUR O'CONNOR (Donegal, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Clerks of the Peace in Ireland are entitled to anything beyond actual expenses in respect of the registration of voters; whether they can claim anything for their own time or that of their ordinary staff; whether they have to pay for the printing; whether it is a fact that application has been made by them to the Privy Council in Ireland to have a scale fixed of so much per name on the lists; and, whether it is proposed that if the actual extra expense is less than the amount the scale would allow the Clerks of the Peace are to keep the profit, or that the scale shall fix a maximum of charge?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): With respect to the inquiries in the first two paragraphs, I understand that the Judges have recently, upon a case stated from Assizes, decided, in effect, that the Clerks of the Peace are entitled to the repayment of actual expenses only. Clerks of the Peace are not obliged to pay for the printing. These officers have applied to the Privy Council to have a new scale fixed. As to the last paragraph of the Question, I am unable to say what decision may be come to by the Privy Council in the matter.

LAW AND JUSTICE (ENGLAND AND WALES)—DEVON COURT OF QUARTER SESSIONS—CASE OF SERGEANT ALLIN.

MR. C. T. DYKE ACLAND (Cornwall, Launceston) asked the Secretary of State for the Home Department, Whether, in the event of the Devon Court of Quarter Sessions again refusing an inquiry into the case of Sergeant Allin, he will be prepared to order an inquiry by one of the District Inspectors of Police, with a view to the publication of his Report?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The Chief Constable is the officer of Quarter Sessions, and it is for them, and not for the Secretary of State, to hold any inquiry that may be necessary; nor have I authority to give to the Court of Quarter Sessions any direction to do so. I can scarcely doubt that, after what has passed, they will think it advisable in the public interest to hold an inquiry; but I cannot anticipate their decision, or announce beforehand what I may be prepared to do if they decide otherwise.

ADMIRALTY—H.M.S. "SULTAN"—THE BRITISH STEAMER "NITH"—COMPENSATION.

MR. LEATHAM BRIGHT (Stoke-upon-Trent) asked the First Lord of the Admiralty, Whether it is correct that the Government has paid the sum of £20,000 as compensation for the damage done by H.M.S. *Sultan* to a French steamer run down in the Tagus; whether it is true that a steamer of the same French line, on April 7, 1884, ran down the British steamer *Nith* whilst at her moorings, also on the Tagus, in broad daylight, and that, owing to a mere technicality, no compensation was paid to the owners of the British steamer, nor to the crew for the total loss of their effects, but only to the French merchants for the loss of their cargo; whether the Government is prepared to make such representations to the French Government as shall recompense the owners and crew of the *Nith* for their loss; and, whether, if the £20,000 was paid as an act of courtesy to the French nation, it is possible to arrange for any friendly reciprocity in the matter?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The sum of £20,000 paid by the Government in consequence of the collision referred to in the Question was given to the French Ambassador for the relief of the families of those who had perished and of those who had lost their personal effects by the accident; but in no way was it compensation to the owners of the vessel for damage done to the ship or cargo. It is the case that the owners of the *Nith* were non-suited owing to her captain not having given the notice required by French law, by which they forfeited their claim to compensation. It would be outside the province of the Admiralty to make representations for recompense to the owners and crew of the *Nith*.

MR. HANBURY (Preston) asked if the £20,000 was provided for in the Estimates?

MR. LEATHAM BRIGHT asked, whether it was not possible to obtain from the French Government some small compensation to be applied for the benefit, not of the owners of the *Nith*, but of her crew?

LORD GEORGE HAMILTON said, that the hon. Member must address his Question to the Foreign Office. The £20,000 came out of savings.

WAR OFFICE—WOOLWICH SADDLES.

MR. HANBURY (Preston) asked the Secretary of State for War, Whether he has now received information as to the fact of the hair from condemned hospital beds being used to stuff pannels for saddles at Woolwich; whether the practice is to be continued; and, whether the officials consulted are the same officials who overruled other complaints, and were themselves subsequently overruled by the experts who were called in to advise?

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) (who replied) said: Yes, Sir; I have, in company with the Director of Artillery, myself inspected the hair complained of, and have made the most exhaustive inquiry which I could carry out on the spot. I brought back to London specimens of the hair as to which such strong expressions have been used; and those specimens have been examined by Mr. Floyd, manager of the British Hair Company, who has certified that it is quite good enough to be used again for stuffing harness and saddlery, an opinion in which I, looking at it as a non-expert, fully concur. The hair was previously used as stuffing for mule litter-mattresses. These were attended for the conveyance of wounded soldiers, and not for hospitals at all. However, the pattern is obsolete, and the great majority of the mattresses were never used. As this hair is pronounced serviceable, and neither filthy nor rotten, it will continue to be employed for saddlery in preference to its being wasted or sold at a loss. The hon.

Member will see that the independent expert has arrived at the same conclusion as the authorities at Woolwich, and the Secretary of State holds himself entirely responsible for the course adopted.

LITERATURE, SCIENCE, AND ART—REPORT ON OCEAN SOUNDINGS AND TEMPERATURES, 1875—H.M.S "CHALLENGER."

MR. MARUM (Kilkenny, N.) asked the First Lord of the Admiralty, Whether his attention has been directed to various Reports of the explorations hitherto made on board Her Majesty's Ship *Challenger*, relating to the subject of oceanic circulation, and furnished at intervals to Mr. William Leighton Jordan, F.G.S., appearing in the *Report on Ocean Soundings and Temperatures*, 1875; whether he is aware that there are great discrepancies in the Reports, and that in one of the last-mentioned cases there is a difference of 33½ degrees Fahrenheit between the statement published by the Admiralty and that published by the Treasury; and, whether, in the interests of nautical science, he will institute inquiries, with the view of reconciling this and the other serious discrepancies in the records of these serial surroundings?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The Reports of the *Challenger* explorations, published at intervals by the Admiralty from 1873 to 1875, had not at that time been dealt with in the light of the investigations subsequently made, especially those on deep sea thermometers by Professor Tait. These Reports, therefore, can only be looked upon as preliminary. Careful perusal of the official narratives of the *Challenger's* voyage, and also the Report by Professor Tait, published in connection with the temperatures, will satisfactorily explain the discrepancies between the preliminary and final Reports.

NATIONAL RIFLE ASSOCIATION—WIMBLEDON COMMON

MR. SUMMERS (Huddersfield) asked the First Commissioner of Works, Whether he will enter into communication with His Royal Highness the Duke of Cambridge, with the view of seeing whether it would be possible for the National Rifle Association to be allowed to retain the privilege, which it has enjoyed for 28 years, of holding its annual shooting meetings on Wimbledon Common?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): The Office of Works has no authority over Wimbledon Common; and I do not think that I should be justified in entering into communication with his Royal Highness the Duke of Cambridge with the view suggested by the Question of the hon. Member.

LAW AND POLICE (METROPOLIS)—HORSE STEALING.

SIR HENRY TYLER (Great Yarmouth) asked the Secretary of State for the Home Department, Whether his attention has been called to the numerous cases of horse stealing that have occurred during the last 12 months, and recently in the northern suburbs of London; and, if not, whether he will ascertain how many such cases have been reported to the police, and what steps have been taken for the prevention of such offences, and the detection of the offenders?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the Commissioner of Police that in the North of London during the year ended the 30th of June 60 cases of horse stealing had been reported; 30 arrests had been made, and 34 horses recovered. Special precautions are being taken to prevent this class of offence; and in consequence, in some districts, it has ceased for the last six months.

SALMON FISHING (SCOTLAND)—THE MORAR FISHINGS, INVERNESS-SHIRE.

MR. FRASER-MACKINTOSH (Inverness-shire) asked the Secretary to the Treasury, Whether, with reference to his recent statement that the practice of the Commissioners of Woods and Forests was to grant leases of salmon fishings in the sea but not in rivers and lochs, he is aware that a late proprietor of South Morar Estate applied some years ago for a grant of the salmon fishings in the loch and river of Morar, in Inverness-shire, but was refused, receiving, however, a lease at the rent of £5 a-year; and, whether he will explain why the present proprietress was favoured in 1887 by receiving a grant of

the identical subject refused to her predecessor?

SIR HERBERT MAXWELL (A LORD of the TREASURY) (Wigton) (who replied) said: My hon. Colleague's statement, that it was not the practice to grant leases of salmon fishings, was limited to inland lochs; otherwise, the facts are as stated in paragraph 1. The reason for granting a lease was to give time for the investigation of the Crown's interest in these fishings.

LAW AND POLICE (SCOTLAND)—APPOINTMENT OF A CHIEF CONSTABLE FOR ROSS-SHIRE.

MR. FRASER-MACKINTOSH (for Dr. R. MACDONALD) (Ross and Cromarty) asked the Lord Advocate, For what special reason a Chief Constable has been appointed for Ross-shire who is considerably older than 45 years, the age fixed by the Secretary for Scotland; whether the Deputy Chief Constable held that post for five years and gave universal satisfaction; whether the Town Council of Dingwall petitioned in favour of the appointment of Cameron, the deputy above referred to; whether the advertisement of the vacancy limited applications to men under 45 years; at what age, or in how many years, must the gentleman appointed resign by the Rules; whether the gentleman appointed produced testimonials from the Lord Advocate and Solicitor General for Scotland; and whether the Home Secretary has yet confirmed the appointment?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): This appointment has not yet been confirmed by the Secretary for Scotland, who is at present in communication with the County Authorities on the subject. In these circumstances, it appears unnecessary to answer the other Questions at present.

SUNDAY CLOSING (WALES) ACT—THE TENBY MAGISTRATES.

MR. W. ABRAHAM (Glamorgan, Rhondda) asked the Secretary of State for the Home Department, Whether he has received a communication from the United Temperance Council of Tenby, calling attention to the attitude of the Tenby Bench of Magistrates towards breaches of the Sunday Closing (Wales) Act; and, whether he is in a position to state what action he proposes to take in reply to the communication?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; I have received such a communication. I have not been supplied with any evidence that the magistrates or the police have failed to fulfil their duties with regard to the enforcement of the law. In the absence of any such information, I do not think that any action on my part is called for.

MERCHANT SEAMEN—COLOUR BLINDNESS.

MR. BROOKFIELD (Sussex, Rye) (for Sir GEORGE BADEN-POWELL) (Liverpool, Kirkdale) asked the President of the Board of Trade, Whether he has received a Memorandum from Dr. K. Grossman, of Liverpool, on the subject of colour blindness in seamen; whether that Memorandum advocates the extension to seamen of the Mercantile Marine of the compulsory examination for colour blindness at present in force in regard to officers; and, whether he will consider the expediency of affording facilities to seamen and railway servants to obtain certificates that they are not colour blind?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, he had received such a Memorandum as that referred to in the Question; but he might inform his hon. Friend that arrangements were already in existence by which any person presenting himself at the Mercantile Marine Office could be examined for colour blindness on payment of 1*s.*, and re-examined as often as they desired. With regard to their servants, some of the Railway Companies were taking steps, he believed, to secure such examination for their servants.

CAPITAL PUNISHMENT — EXECUTION OF CRIMINALS.

MR. BROOKFIELD (Sussex, Rye) asked the Secretary of State for the Home Department, Whether his attention has been drawn to the occurrence from time to time of unfortunate and lamentable blunders in the execution of criminals; whether he is aware that, in the case of Robert Upton, executed at Oxford on the 17th instant, the responsible medical officer stated that the head

of the culprit was nearly torn off owing to the length of the drop; whether his attention has been called to Dr. Marshall's contrivance for producing instantaneous death with a drop of only three feet; and, whether he can now state how soon the Report of the Committee on Capital Punishment will be printed and issued?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the Prison Commissioners that, though these deplorable accidents do occur from time to time, they are by no means common, two only having occurred since 1878. Dr. Marshall's suggestion is known to the authorities; but it is not thought that its adoption would lead to the expected result. The Report of the Committee has been made, and I shall be happy to communicate it to my hon. Friend.

DR. FARQUHARSON (Aberdeenshire, W.) asked, whether they could not depart from the barbarous and old-fashioned means of execution, and consider whether the method successfully adopted in America of execution by electricity could not be resorted to in this country?

MR. MATTHEWS said, the subject was full of interest, and well deserving of consideration. He had already informed the House that a Departmental Committee had been appointed by his Predecessor, which went very minutely into the whole subject. Any alteration in the means of execution would require legislation. The present method had been carefully considered with the view of avoiding accidents. He was afraid the system which must be adopted could not be carried out without accidents occasionally occurring.

In reply to Mr. CHILDERS (Edinburgh, S.),

MR. MATTHEWS said, there would be no objection to lay the Report of the Departmental Committee upon the Table if hon. Members desired its production.

NATIONAL RIFLE ASSOCIATION—REMOVAL TO RICHMOND PARK—LORD WANTAGE'S CIRCULAR.

MR. BIGWOOD (Middlesex, Brentford) (for Sir JOHN WHITTAKER ELLIS) (Surrey, Kingston) asked the First Commissioner of Works, Whether he is aware that Lord Wantage has issued a Circular to the Mayors of the several boroughs in England, stating that the Queen has graciously granted the use of a portion of Richmond Park for the purposes of the National Rifle Association; and, whether such statement is correct?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): Lord Wantage has informed me that the National Rifle Association did issue a Circular to the Mayors of boroughs, in which it was stated that Her Majesty had signified her willingness that a portion of Richmond Park should be placed at the disposal of the National Rifle Association for their annual competition; but that the following words were added in the Circular:—

"Subject to Her Majesty's advisers being satisfied that it can be done without detriment to the public."

MR. BIGWOOD: The statement ought to be corrected.

MR. PLUNKET: Yes, Sir; my statement is made on the authority of Lord Wantage.

ADMIRALTY—THE NAVAL MANŒUVRES, 1887—PILOTS AND CHARTS.

MR. GOURLEY (Sunderland) asked the First Lord of the Admiralty, Whether it is correct that during the Naval Manœuvres on the 4th of August last when Her Majesty's ships *Agincourt*, *Black Prince*, *Impérieuse*, *Conqueror*, and *Iron Duke* were endeavouring to escape from the East Swin into the North Sea they were obliged to be turned round in charge of a pilot, the Admiralty having neglected to supply the commanders with charts; whether the commanders of all classes of ships comprised in the Mobilized Fleets have each been supplied with charts of the coasts and adjacent seas in which they have been ordered to practise naval manœuvres; and, whether any skilled pilots are with the squadrons?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): If the hon. Member will refer to an answer I gave in this House to a Question on the same subject on August 18 last, he will see that the statement referred to in his Question is not correct, and that the necessary charts were supplied. Her Majesty's ships are navigated by their

own officers; and except in especially difficult channels or rivers where local experience is necessary pilots are not required. The charts required for the present manœuvres are, in accordance with the usual practice, supplied to each ship.

THE MAGISTRACY—THE BREWSTER SESSIONS, JARROW.

MR. T. FRY (Darlington) asked the Secretary of State for the Home Department, If it is a fact that, at the last Brewster Sessions, held at Jarrow, of the 11 magistrates present two were disqualified under the Municipal Corporations Act by non-residence (one at Cheltenham and one at Corbridge), and who, notwithstanding attention was called at the time to their disqualification, adjudicated at the said Brewster Sessions; if one of these magistrates is an owner of public house property in Jarrow, and the other was formerly a wine and spirit merchant there; if at these Sessions a transfer of a licence was granted by a majority of one from a small public house to a large hotel and tavern now in course of construction, which is thereby enhanced in value to the extent of about £2,000, and which is situated in the centre of the town, adjoining the Mechanics' Institute; if this licence was granted contrary to the representations of the clergy and many other influential inhabitants, and contrary to the vote of the majority of the magistrates present at the Brewster Sessions who are not disqualified; whether this licence granted under these circumstances is valid; and, what steps are intended to be taken by the removal of the said magistrates from the Commission or otherwise, to prevent licences being granted illegally at the next and future Brewster Sessions?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.), in reply, said, that the Clerk of the Sessions being at present abroad, and not leaving his address, could not be communicated with. Therefore, he had been unable to obtain the necessary information. When, however, he did so it would receive the fullest consideration; and if he thought the Lord Chancellor ought to be communicated with on the subject he would.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—PRISONERS IN LIMERICK GAOL.

MR. O'KEEFFE (Limerick City) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can state the exact number of persons now imprisoned in Limerick Gaol under the Criminal Law and Procedure (Ireland) Act, specifying the names of the prisoners, the lengths of their sentences, and the nature of offences for which they were convicted?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The General Prisons Board report that since this Question first appeared upon the Paper some of the prisoners have been released on expiration of sentence. There are now in custody in the prison 13 persons convicted under the Statute quoted. I have been promised by to-night's post the names of these persons, together with the additional information required in the Question.

CIVIL SERVICE COMMISSION—EXAMINATIONS FOR ASSISTANT CLERKSHIPS OF WORKS.

MR. LAWSON (St. Pancras, W.) asked the President of the Board of Trade, Whether it is possible so to modify the Regulations of the Civil Service Commission as to examining for appointment to assistant clerkships of Works as to admit skilled artizans to the competition who may show adequate knowledge of the practical requirements of the post; and why such conditions are enforced as specially to exclude them on account of their status?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET) (Dublin University) (who replied) said: Appointments to clerkships of the works (there are no assistant clerkships under my Office) are open to all skilled artizans, as well as to others who may succeed in the open competitive examinations held by the Civil Service Commissioners. But skill as an artizan in any one branch of labour would not be a sufficient qualification; and we require as a condition from all candidates that they should have had five years' practical experience in the general superintendence of building works.

LAW AND JUSTICE (IRELAND) — SUICIDE OF DR. RIDLEY, LATE MEDICAL OFFICER OF TULLAMORE PRISON.

PRISON REGULATIONS (IRELAND) — RULES AT TULLAMORE GAOL—MR. JOHN MANDEVILLE.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in order to assist the Coroner's Jury in the case of the suicide of Dr. Ridley, late medical officer of Tullamore Prison, to come to a decision as to the state of his mind, the Irish Government will produce at the inquest any Reports made by Dr. Ridley as to the health and treatment of Mr. John Mandeville during his imprisonment at Tullamore, and any correspondence on that subject between the officials of Tullamore Prison, the Chief Secretary to the Lord Lieutenant, and the Irish Prisons Board; and, whether copies of such Reports and correspondence will be laid upon the Table of the House?

MR. ANDERSON (Elgin and Nairn) also asked, Will the Government lay upon the Table of the House the Rules in force at Tullamore Gaol at the time of the imprisonment there of the late Mr. Mandeville; during the imprisonment of Mr. Mandeville were any communications made by the officials at the gaol to the authorities in Dublin with regard to the treatment of Mr. Mandeville or his state of health; were any directions given to the authorities at the gaol on the subject; has any correspondence passed between the Government and Dr. Ridley, or any other official at the gaol; and, is there any objection to the production of this correspondence?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I cannot undertake to make any statement in regard to the proceedings at the inquests now going on; nor can I make any statement on the other matters referred to until these inquests shall have terminated.

MR. SEXTON inquired, whether all the Papers belonging to the suicide would be laid before the Coroner?

MR. A. J. BALFOUR said, he believed that the Coroner was in possession of all Dr. Ridley's papers.

MR. ANDERSON: I wish to ask, what objection the right hon. Gentleman has to lay upon the Table of the House a copy of the Rules of Tullamore Gaol that were in force during the imprisonment of Mr. Mandeville?

MR. A. J. BALFOUR said, there was a Notice on the Paper in the name of some hon. Member asking that all the Prison Rules should be laid on the Table of the House, and he had not the slightest objection to doing so.

MR. ANDERSON said, that, no doubt, there was a Notice to that effect; but the preparation of the Return would take some time. The Rules of Tullamore Gaol would be wanted at an early date, and would they at once be laid on the Table of the House?

MR. A. J. BALFOUR said, he did not pretend to be an authority upon the point; but, as far as he understood the matter, the Rules were the same in all prisons.

MR. ANDERSON: Then why not lay them on the Table of the House?

MR. A. J. BALFOUR: I have already intimated my willingness to lay the Rules upon the Table of the House.

MR. P. STANHOPE (Wednesbury) asked the right hon. Gentleman, whether his attention had been called to the menacing language used to the Coroner by the counsel for the Crown in the course of the proceedings at the inquest upon John Mandeville; whether the language of the counsel for the Crown was in pursuance of instructions received from Dublin Castle; and whether, in any case, the right hon. Gentleman would give instructions to the counsel for the Crown to observe, in future proceedings, the attitude of a respectful, responsible, public official, in accordance with recognized rule?

MR. A. J. BALFOUR: I have no information on the subject to which the hon. Gentleman refers. I apprehend that the counsel for the Crown needs no instructions either from the hon. Member for Wednesbury (Mr. P. Stanhope) or myself as to how he shall conduct himself at the examination.

ADMIRALTY — CAPTAIN KENNEDY — ARCTIC EXPLORATIONS — THE NORTH-WEST PASSAGE.

BARON DIMSDALE (Herts, Hitchin) (for Mr. KNATCHBULL-HUGESSEN) (Kent, Faversham) asked the First Lord of the Admiralty, Whether he will inquire into the case of Captain Kennedy, who,

with the exception of the gift of £100 in 1864, has received no compensation, pecuniary or otherwise, for his great services to this country by the discovery of the most direct North-West Passage, and who now, owing to loss of property and ill-health, is incapacitated for any of the active duties of life.

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): Mr. Kennedy's case is not one with which the Admiralty can deal. This gentleman is not a naval officer, and has not been employed by the Admiralty; nor are his services in connection with the exploration of the Arctic Regions, which consist mainly in the discovery of Bellot Strait, of sufficient importance to the Navy to justify a recommendation that a grant should be made to him from Naval Funds.

ADMIRALTY—PROFESSORSHIP OF CHEMISTRY TO THE NAVY.

SIR HENRY ROSCOE (Manchester, S.) asked the First Lord of the Admiralty, Whether, in carrying out the policy of the Admiralty, as recently announced in that of inquiring into the circumstances of the appointment of a chemist to the Navy, with a view of adjusting the salary to the requirements of the day, he will take care, in view of the importance of the post to the scientific development of the Service, that the Professorship is not degraded to a lectureship, and that the services of the best man available shall be secured?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): Until the Reports called for from the College at Greenwich have been before me I cannot undertake to say whether the gentleman selected to fill the office of chemist will be appointed as a Professor or a lecturer. My endeavour will be to make whatever arrangement is most conducive to the efficient performance of the duties that the position calls for.

REVENUE ESTIMATES—REPORT OF THE SELECT COMMITTEE.

MR. JENNINGS (Stockport) asked the Secretary to the Treasury, When the House may expect to be in possession of the Evidence upon which the Report of the Select Committee on Revenue Estimates is founded; and, whether a Special Report of the Controller of Stamps, dated February 8, 1888, will be laid before Parliament, with the Evidence, before the Revenue Estimates come up for discussion?

SIR HERBERT MAXWELL (A LORD of the TREASURY) (Wigton) (who replied) said: Evidence can be circulated without the Appendix on Saturday; with the Appendix five days later.

EVICTIONS (IRELAND)—THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether during the course of the evictions on the Vandeleur estate in Clare, on Thursday last, Mr. T. W. Russell, M.P., Mr. Arthur Patton, of the "Irish Loyal and Patriotic Union," and a reporter of *The Times*, were allowed to remain within the cordon formed by the troops and police, whilst all the other representatives of the Press, together with the local clergy and Members of Parliament, were kept beyond the cordon and prevented from observing the proceedings; whether Mr. T. W. Russell, M.P., was allowed, whilst within the cordon, to cross-examine evicted tenants who were in custody of the police; whether Mr. Jordan, M.P., was assaulted and driven back by the police for having contradicted a statement made by Mr. Arthur Patton; and, whether the local clergy had exerted themselves to promote a settlement and preserve the peace?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Divisional Magistrate reports that it is the case that the hon. Member for South Tyrone (Mr. T. W. Russell), as also Mr. Arthur Patton and *The Times* correspondent, were given passes by him to admit them inside the cordon formed by the troops during the eviction, but that it is not the case that the other Press representatives were excluded; all of them who asked for passes were given them. The tenants' counsel and solicitor were also admitted. The hon. Member for South Galway (Mr. Sheehy) was not admitted, as he had incited the tenants to resistance. But the hon. Member for West Clare (Mr. Jordan) was at once given a pass by the Divisional Magistrate upon hearing that he had been put outside the

cordon as not possessing one; he was not assaulted in any way, so far as the Divisional Magistrate is aware. The hon. Member for South Tyrone, and anyone else who liked, was allowed freely to converse with the tenants. The local priests, who, according to their own statements, are responsible for the combination under the Plan of Campaign on the estate, have been excluded, because they incite the people to resist, and have utterly thwarted any reasonable settlement. In no case do they appear to have used their undoubted influence to preserve the peace; but, on the other hand, some of them were seen to enter the church and set the bell tolling to assemble the people, notwithstanding the Proclamation that had been issued.

MR. SEXTON asked, whether the Press representatives were all informed that the passes might be obtained by them?

MR. A. J. BALFOUR said, on that point he had no information.

COAL MINES, &c. REGULATION ACT, 1887—REFUSAL OF CERTIFICATES.

CAPTAIN HEATHCOTE (Staffordshire, N.W.) asked the Secretary of State for the Home Department, Whether he is aware that Mr. James Hughes and Mr. Thomas Parker have received reliable testimonials from well-known mining engineers and others showing their fitness for second-class certificates under Section 80 of the Coal Mines, &c. Regulation Act, but that Her Majesty's Inspector of Mines in North Staffordshire refuses to recommend them, asserting that they are not duly qualified; whether he is aware that Mr. James Hughes and Mr. Thomas Parker are unable to obtain permanent employment pending the decision of their claim to second-class certificates; and, whether, under the circumstances, he will order inquiries to be made at once as to the accuracy of the Report of Her Majesty's Inspector of Mines in North Staffordshire?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; I am aware of the facts stated. I have summoned the Inspector of Mines for the district to attend at the Home Office to-morrow, when the whole matter will be carefully investigated.

NAVY—DEATHS FROM HEAT AT SUAKIN.

ADMIRAL FIELD (Sussex, Eastbourne) asked the First Lord of the Admiralty, Whether the following report in *The Globe*, of the 18th instant, as to the sufferings of the crews of Her Majesty's ships stationed at Suakin is correct—

"Deaths from Heat at Suakin.

"The heat at Suakin is intense, the thermometer yesterday registering 120 degrees. Three sailors of Her Majesty's ship *Dolphin* have died from apoplexy. The life of Dr. Williams, of the *Albacore*, was despaired of on Monday last, and he was saved only by means of some ice sent from the officers' brigade mess. The commanding officers of the Royal Navy have given notice that a supply of ice is an imperative necessity at Suakin during the summer months; and ice could be obtained weekly from Aden and Suez. Many cases of sun fever have been reported on board the *Dolphin* and *Albacore*, and both ships left yesterday for Suez to recruit;"

and, if so, whether instructions can be given to cause vessels employed on such trying service to be more frequently relieved, with a view to the better preservation of the health of the ships' crews; and, if it be absolutely necessary to retain certain vessels of war at Suakin, whether instructions can be given that ample supplies of ice be furnished, as recommended, for the preservation of the health of the ships' companies?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): No Reports of the circumstances mentioned in the Question have reach the Admiralty. The Commander-in-Chief in the Mediterranean is aware of the necessity of relieving the vessels at Suakin as frequently as the service admits of; and the preservation of the health of the crews of the vessels employed there is always a subject of careful consideration to the Admiralty, I have instituted an inquiry as to whether any further relief in the direction indicated in the Question can be given; for every endeavour should be made to mitigate the discomfort and unhealthiness of this service.

NORTH AMERICAN FISHERIES—THE ANGLO-FRENCH NEWFOUNDLAND BAIT TREATY.

MR. GOURLEY (Sunderland) asked the Under Secretary of State for the Colonies, If it is correct that two French vessels, the *Virginia* and *Amazon*, have been seized and confiscated, and the

masters fined 200 francs each, for an alleged infringement of the Anglo-French Newfoundland Bait Treaty; if so, can he state the extent of the infringement, and by what ship the vessels were seized; and, whether, if true that the masters had been fined, it is intended to restore the ships to their owners?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: No information respecting the seizure of any French vessels has reached Her Majesty's Government.

INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE LOWER BANN.

MR. LEA (Londonderry, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in view of the fact that farmers in the Lower Bann suffer serious loss by floods caused through the establishment of navigation works which are of no benefit to that district, he will press forward the Bann Drainage Bill, and thus relieve struggling farmers from the loss of what sometimes is the product of a whole year's labour; and, if no legislation takes place this Session, will the Government grant compensation to those farmers should their crops be destroyed or damaged during the next 12 months?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Sir, in answer to the Question of the hon. Gentleman, I may say that it is my desire in the interests of the farmers, who alone are affected by the proposed works, to press them on by all means in my power; but if, through the action of Gentlemen opposite, the Bills fail to become law, I am afraid it will not be in my power to mitigate the consequences of their rejection to the classes concerned.

PIERS AND HARBOURS (IRELAND)—BALLYCOTTON PIER.

DR. TANNER (Cork Co., Mid) asked the Secretary to the Treasury, Whether Mr. Kirkby, M.A., C.E., county surveyor, in his Report to the Grand Jury of the County of Cork, recommended them not to take over the Ballycotton Pier; whether it is a fact, as alleged before the Grand Jury, that in the portion of the pier in deep water serious settlements have taken place, and that cracks have appeared in some places for the entire height, and that one of the most serious of these cracks has considerably increased since last spring; whether the surface of the pier is still subsiding, and the settlement of the structure is still going on; whether, as alleged by Mr. Kirkby, the end of the pier shows unmistakable signs of falling out, and whether many of the Grand Jury stated their personal knowledge of the utter worthlessness of the structure; and, whether that Body unanimously refused to take it over from the Board of Works?

SIR HERBERT MAXWELL (A LORD of the TREASURY) (Wigton) (who replied) read a telegram that he had just received from the Board of Works which denied that any serious settlements had taken place in the structure; but admitting that a few cracks were observable.

EVICTIONS (IRELAND)—CASE OF MR. P. BROSNIHAN, CO. LIMERICK.

MR. FINUCANE (Limerick, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, with regard to the case of Mr. Patrick Brosnihan, Dunvullen, Cahercoulish, County Limerick, who was evicted about two years ago by his landlady, Mrs. Gabbett, for half a-year's rent, Whether he is aware that Mr. Brosnihan held under a lease at £3 per acre, that his landlady refused him any abatement as well as permission to go into the Land Court to get a fair rent fixed; and, whether two policemen have been protecting the Emergency men in care of the farm for the past two years at a cost of over £300 to the ratepayers; and, if so, will the Government, if Mr. Brosnihan should now pay all arrears without any abatement, on condition of being restored to his farm at a rent fixed either by the Land Court or arbitration, withdraw police protection from the Emergency men in care of the farm?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am informed that Brosnihan was evicted in May, 1886, for non-payment of one year's rent. He held under lease at £3 an acre. It is stated that he demanded an abatement of 30 per cent; but that owing to the language he used when making the demand his landlady declined to treat with him. Since the eviction two constables have been employed protecting the caretakers on the farm. There has, however, been no extra

charge on the ratepayers of the locality for these men. The Government cannot undertake to adopt the course suggested in the concluding portion of the Question.

PIERS AND HARBOURS (IRELAND)—BALLYCOTTON HARBOUR.

DR. TANNER (Cork Co., Mid) asked the Secretary to the Treasury, Whether he is aware that there is at Ballycotton in the middle of the harbour a mass of rubbish 90 feet long, 60 feet wide, and three feet in depth, deposited there by the contractor in the course of construction of the pier; and, what authority had the Board of Works to grant an additional £600 to the contractor for removing a portion of the rubbish deposited in the harbour contrary to specification?

SIR HERBERT MAXWELL (A LORD of the TREASURY) (Wigton) (who replied) said: I am not aware that the statement in the first paragraph of this Question is correct. The second paragraph appears to be based on a misapprehension; £598 was paid to the contractor for extras beyond his contract, not for removing obstructions. An expense of £444 has been incurred—£370 for removing projecting rocks, and £74 for removing some loose stones in the harbour.

DR. TANNER asked, by what authority the extra money had been paid?

SIR HERBERT MAXWELL asked for Notice of the Question.

MR. FLYNN (Cork, N.) asked whether, considering the allegation of the local bodies as to the unsuitability of the pier, the Board of Works would institute an independent inquiry?

SIR HERBERT MAXWELL asked for Notice of this Question also.

RIOTS, &c. (IRELAND)—COMPENSATION FOR ALLEGED MALICIOUS INJURIES IN CO. CORK.

DR. TANNER (Cork Co., Mid) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Michael Lighane, of Ballyvourny, was awarded £20 compensation by the Grand Jury of the County Cork for the burning of his stable, &c. on the night of December 2; how such burning was proved to be malicious, and in how many instances have the Grand Jury during the present July sitting awarded considerable amounts of money as compensation for malicious burnings; and, what was the evidence in each case?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Inspector General of Constabulary reports that the statement in the first paragraph of the Question is correct. In about 26 cases the Grand Jury have, at the July sittings, awarded compensation for malicious burnings. The total amount of compensation awarded in all these cases was about £747. The Grand Jury, in making these awards, were acting under their statutable jurisdiction; and I have neither the means nor the power to describe or discuss the evidence they had before them.

DR. TANNER: Is the right hon. Gentleman aware that in many of these cases the burnings have been caused by landlords of the County of Cork, in order that they might get more for property they could not otherwise sell?

MR. SPEAKER: Order, order!

THE MAGISTRACY (IRELAND)—THE MILLSTREET BENCH.

DR. TANNER (Cork Co., Mid) asked the Chief Secretary to the Lord Lieutenant of Ireland, What are the exact number and names of the Local Justices entitled to sit upon the Millstreet Bench of Magistrates, and the number of attendances of each since the appointment of Mr. Jeremiah Hegarty to the Court?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am informed that the names of the Local Justices who have sat, or who are entitled to sit, at the Millstreet Petty Sessions, together with their attendances during the year ended August 31, 1887 (which is the latest Return of attendances furnished to the Lord Chancellor's Secretary's Office), are as follows:—T. H. O'Connell, 18; John Howard, 19; Jeremiah Hegarty, 10; Benjamin Leader, 6; C. A. Duncan, 5; M'Carthy O'Leary, 2; R. M. F. Townsend 1; Alexr. M'Carthy, 1; Sir George Colthurst, nil. In addition to these gentlemen, Messrs. M. Blake Burke and H. A. B. Wallis are entitled to sit at the Petty Sessions mentioned; but, inasmuch as they were appointed since the last Return was furnished, there is no present information in the Lord Chan-

cellor's Secretary's Office as to their attendance.

DR. TANNER: Might I ask the right hon. Gentleman, whether it is not the fact that Mr. M'Carthy O'Leary, a local magistrate and a Liberal Unionist, refused to sit on the Bench with Mr. Hegarty, who was appointed by the right hon. Gentleman?

MR. A. J. BALFOUR: I have no grounds for saying that that is a fact.

THE MAGISTRACY (ENGLAND AND WALES)—THE PENRITH BENCH.

MR. COBB (Warwick, S.E., Rugby) (for Mr. CONYBEARE) (Cornwall, Camborne) asked the Secretary of State for the Home Department, Whether his attention has been called to the complaints recently made on more than one occasion in *The Cumberland and Westmoreland Advertiser*, as to the absence of magistrates from the Penrith Bench; whether it is the fact that on the 2nd instant there were three prisoners to be tried, the Court was opened and the officials ready to begin at 11 o'clock, but after waiting three-quarters of an hour the Court had to be closed owing to the non-arrival of any magistrate, and whether, in consequence, the prisoners were kept unnecessarily locked up in the cells, and were returned to gaol without having an opportunity of being tried; whether such additional and unnecessary imprisonment will be taken into account in fixing the term of their sentences, if any; whether, on the 5th instant, a case was brought up at the police court in the same town which required the presence of two magistrates, and that, as only one was in attendance, it had to be put back until the next day, when, the same thing occurring, the prisoner had to be discharged; and, whether he will consider some means of providing a remedy for such grievances?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am in communication with the Lord Lieutenant of the county on this matter. He is now making inquiries, which he has not had time to complete, with regard to the alleged want of magistrates in this district. No complaint has been made to him of any such want, and no complaint has been made to the Court of Quarter Sessions. I will inform the hon. Member of the result of the inquiries that are being made.

AGRICULTURAL DEPARTMENT — REPORT OF THE MORAYSHIRE FARMERS' CLUB.

MR. ANDERSON (Elgin and Nairn) asked the First Lord of the Treasury, Whether the attention of the Government has been called to the Report of the Morayshire Farmers' Club, dated March 9, 1888, stating that an average reduction of 33 per cent is necessary, owing to the fall in agricultural produce, on all rents fixed within the past 15 years; and calling attention to the probable ruin of present occupiers, whose proprietors decline either to give substantial abatements of rent or a fair re-adjustment of contract; and, whether, having regard to the fact that some Scotch proprietors have made no reduction, and many only small ones, the Government propose to introduce legislation on the subject?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Government greatly regret that the prevailing depression has so seriously affected the agricultural tenants in Morayshire as well as in other parts of Scotland. The depression, however, has affected not only the occupiers, but also the proprietors of the land; and the Government are unable to promise legislation in the direction indicated by the hon. Member.

SUGAR BOUNTIES — THE GERMAN DRAWBACK.

MR. J. C. BOLTON (Stirling) asked the First Lord of the Treasury, Whether it is true, as stated in the London *Times* newspaper to-day, that the German Government have determined to grant a drawback upon the exportation of manufactured goods containing sugar and cocoa corresponding to the tax paid upon the sugar and cocoa used; and, if so, whether the importation of such articles into the United Kingdom will be prohibited under the provisions of the recently concluded Convention or Treaty respecting bounty fed sugar?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I have reason to believe that the statement which the hon. Member quotes is accurate; but I have repeatedly informed

the House that the Convention for the suppression of sugar bounties has not yet been completed. It is still under the consideration of the Governments concerned; and I am not in a position to enter into details with respect to its provisions, nor to say whether a particular course is or is not at variance with them.

SUGAR BOUNTIES—THE DRAFT CONVENTION.

MR. SUMMERS (Huddersfield) asked the First Lord of the Treasury, Whether the Draft Convention on Sugar Bounties contemplates measures which will restrict the importation of cheap sugar into this country; and, if so, whether it is the intention of the Government to give its assent to the Convention?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): It has been stated, in reply to Questions put by the hon. Members for Northampton and Leicester, that no measures affecting the importation of sugar can come into force without the assent of Parliament; but Her Majesty's Government are precluded, by the condition of confidence accepted by all the powers represented in the Conference on Sugar Bounties, from making any statement of the terms of the Draft Convention now under the consideration of the Governments concerned.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL—FUNCTIONS OF THE COMMISSIONERS.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked the First Lord of the Treasury, with reference to the Members of Parliament (Charges and Allegations) Bill, With whom it is intended that there shall rest the function of collecting evidence, prosecuting charges, and especially of deciding who are to be examined as witnesses and protected from punishment for crime (on condition of full disclosure), and who are to be left liable to criminal prosecution; whether these functions are to be entirely performed by the Commissioners themselves; or, if not, whether the Government is to prosecute charges and determine who are to be examined as witnesses and pardoned, or whether the defendants in the action of "O'Donnell *v.* Walter" or any other private parties are to be permitted to do so?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): If the hon. Gentleman will be so good as to read the Bill which establishes the Commission he will see that all the functions he alludes to rest with the Commissioners, and certainly the Government is not the prosecutor in the case. The hon. Member is probably aware of the manner in which such inquiries are usually conducted by Royal Commissions; but if he has any doubt on the question I may refer him to the practice of the Commission appointed to investigate the charges against the Metropolitan Board of Works.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): Is it, then, to be understood that parties appearing before the Commission will not be entitled to call what witnesses they like; but that the function will rest with the Commission to say whom they will examine and whom they will exclude from certificates?

MR. W. H. SMITH: If the hon. Member will look at the Bill he will see for himself. I cannot add anything whatever to the information it contains.

SIR GEORGE CAMPBELL said, he had compared the Bill with similar Commissions in which he had taken part; and he wished to ask whether there was to be any Executive officer at the disposal of the Commissioners for the purpose of prosecuting inquiries, collecting evidence, and exercising the functions of a prosecutor.

MR. W. H. SMITH: The hon. Gentleman must be satisfied with the information given by the Bill as to the powers of the Commissioners. As in the past, they are of the most extensive character, and the Commissioners can direct anything they think fit.

BUSINESS OF THE HOUSE—BILLS PASSED BY THE STANDING COMMITTEES—AN AUTUMN SESSION.

MR. OSBORNE MORGAN (Denbighshire, E.) asked the First Lord of the Treasury, Whether, having regard to the labour bestowed by the two Standing Committees on the five Bills already passed by them, and the prejudicial effect which the possible abandonment of those Bills would entail upon the whole system of delegation lately adopted by the House, as well as to the sub-

stantial progress made with them, the Government will consider the expediency of taking up such Bills before the House adjourns, instead of relegating them, with other measures of a more controversial character, and in a less advanced stage, to the chances of an Autumn Session?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I can add little as regards Bills which have passed Grand Committees to what I have previously said. I am afraid there is very little hope of escaping an Autumn Session. I will endeavour to consult the Business of the House and the interests of the country; but, at present, I am not in a position to state what arrangements can be made, but I will endeavour to do so on Thursday.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I hope the statement will not be delayed beyond Thursday; because we have had a good deal of disappointment in the withholding of information up to the present date.

MR. W. H. SMITH: I can only say that I myself have been disappointed, because I have not been able to foresee the events which have occurred, or the delays which have taken place; but I shall endeavour to consult the convenience of the House, and to arrive at a satisfactory determination.

MR. MUNDELLA (Sheffield, Brightside): Will the right hon. Gentleman give the House an assurance that the Bills will not be abandoned? One was referred to a Grand Committee last week, and it is proposed to take the same course with another to-night.

MR. W. H. SMITH: I do not think it is possible for me to add anything to the assurances I have already given. I attach the highest importance to those Bills. I said, when I made my statement on the course of Business, that it would amount to little less than a public scandal if these Bills were not passed into law during the present Session. That is my deliberate opinion still. It must remain with hon. and right hon. Gentlemen opposite to assist us in putting forward the Business of the nation.

MR. OSBORNE MORGAN observed, that the Liability of Trustee Bill was referred to the Committee on Law. He wished to ask the right hon. Gentleman whether he was aware that this Grand Committee had already sat nearly three months and had passed four Bills, and that it was exceedingly unlikely that a fifth Bill of this importance could be adequately discussed at the fag end of a Session?

MR. W. H. SMITH said, that the right hon. and learned Gentleman must be aware that Her Majesty's Government could only be responsible for the conduct of their own measures. He did not think that the Liability of Trustee Bill was a Government measure.

MR. HENRY H. FOWLER (Wolverhampton, E.) asked, whether it was not a fact that some months ago, when Questions relating to the procedure with regard to Public Business were being discussed, Her Majesty's Government pledged themselves to give facilities for this Bill if it came down from the other House; and whether the arrangement was not made with the full sanction of the Attorney General?

MR. W. H. SMITH said, he thought it probable that the statement of the right hon. Gentleman was absolutely accurate; but it was not for him (Mr. W. H. Smith) to ask the House to sit longer than was necessary for Government measures in order to pass this particular Bill. The Government would be exceedingly glad to see the House pass measures coming from the House of Lords; but, as far as he was concerned, he was only responsible for Government measures.

BUSINESS OF THE HOUSE — THE CRIMINAL EVIDENCE BILL.

MR. T. M. HEALY (Longford, N.) asked the First Lord of the Treasury, Whether the Criminal Evidence Bill is to be proceeded with at present, or in the Autumn Session?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, he could give no assurance that the Bill would be passed before the Autumn Session. What would happen then he could not say.

BUSINESS OF THE HOUSE—UNIVERSITIES (SCOTLAND) BILL — BAIL (SCOTLAND) BILL.

MR. HUNTER (Aberdeen, N.) asked the First Lord of the Treasury, On what day he will take the second reading of the Universites (Scotland)

Bill, and the Report stage of the Bail (Scotland) Bill; and, whether in the meantime, he will see that those Bills are not put down on the Notice Paper on days on which it is not intended that they should be proceeded with?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am not in a position at the present moment to answer that Question.

THE SMALL HOLDINGS COMMITTEE.

MR. COBB Warwick, S.E., Rugby) asked, whether it was true, as stated in the newspapers, that the Government had decided to abandon the Committee on Small Holdings?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): No, Sir.

EXCISE DUTIES (LOCAL PURPOSES) BILL.

MR. SCHWANN (Manchester, N.) asked Mr. Chancellor of the Exchequer, when he proposed to take the Excise Duties (Local Purposes) Bill?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square), in reply, said, he had answered a Question on this subject two days ago. He proposed to take the Bill in a week or, probably, a fortnight from now.

MR. CAUSTON (Southwark, W.) asked, whether the Bill would be the first Order when taken?

MR. GOSCHEN said, he could not make any pledge on that point at present.

TITHE RENT CHARGE AND TITHE RENT CHARGE RECOVERY AND VARIATION BILLS.

MR. H. GARDNER (Essex, Saffron Walden) asked, whether it was the intention of the Government to proceed with the two Tithe Bills this Session; and, if not both, which of them would be taken? Would the right hon. Gentleman give an assurance that they would not be proceeded with before the Autumn Session?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I cannot give any such assurance.

MR. H. GARDNER: Will both Bills be taken?

MR. W. H. SMITH: Yes.

RIOTS, &c. (IRELAND)—ATTEMPTED MURDER AT WOODFORD.

MR. MACARTNEY (Antrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland a Question of which he had given him private Notice, Whether his attention had been drawn to the following paragraph in *The Irish Times* of the 16th instant—namely,

> "A daring attempt at murder took place about a mile from Woodford on the 13th instant on a man named Thomas Noonan, a summons-server here. Noonan had left his house for Woodford at about 9 o'clock a.m., and had not gone more than a mile when two men, who were lying in ambush, fired two shots at him. Both missed, as the falling of a stone from off the wall where aim was being taken caused Noonan to look round. He then stooped and miraculously escaped. Henry Bowles, nephew of the famous 'Dr. Tully,' has been arrested and fully identified;"

and, whether steps would be taken to protect Thomas Noonan and officials in the execution of their duties in that neighbourhood?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Inspector General of Constabulary reports that the circumstances connected with the firing at Thomas Noonan, process server, are accurately set forth in the newspaper statement, with the exception that the occurrence was at about 10 o'clock a.m. Henry Bowles, nephew of the so-called "Dr. Tully," has been arrested, fully identified, and remanded. Noonan is now receiving personal protection. He had, up to the occurrence, persistently refused such protection, although informed by the police that they had reason to believe his life was in danger. They had, however, endeavoured to look after his safety by patrols. Protection is invariably afforded in any case in which the circumstances appear to call for it.

LAW AND JUSTICE (IRELAND)—JURY PACKING, QUEEN'S CO.

MR. W. A. MACDONALD (Queen's Co., Ossory) asked the Solicitor General for Ireland a Question of which he had given him private Notice, Whether jury packing was in full operation in Queen's County; whether all the Roman Catholics had recently been ordered to stand aside without cause shown, and for no other apparent reason than that they were Roman Catholics; whether of the entire population of the county 88 per

cent are Roman Catholics; whether a strong feeling of indignation existed among the special jurors in consequence of their exclusion; whether that feeling had found expression in a respectful, but firm, protest presented last Thursday week to Mr. Justice Johnson, the Judge of Assize; whether the learned Judge told the memorialists that it was a thing with which he had nothing to do; whether——

MR. SPEAKER: I think the hon. Gentleman will see that he should put that Question on the Paper in the usual way.

THE CHARITY COMMISSIONERS—CITY PAROCHIAL CHARITIES ACT—THE GENERAL GOVERNING BODY.

MR. BARTLEY (Islington, N.) asked the hon. Member for the Penrith Division of Cumberland (Mr. J. W. Lowther) a Question of which he had given private Notice, What sum of money the Charity Commissioners contemplated assigning to the General Governing Body to be constituted by them under the City Parochial Charities Act?

MR. T. M. HEALY (Longford, N.) rose to Order, and asked why the hon. Member for North Islington and the hon. Member for South Antrim (Mr. Macartney) were allowed to put Questions of which they had given private Notice, while his hon. Friend the Member for the Ossory Division of Queen's County (Mr. W. A. Macdonald) was prevented from putting his Question?

MR. SPEAKER: It entirely depends on the nature of the Questions which are asked. I understood that the hon. Member for the Ossory Division of Queen's County had given private Notice on Friday last. That is a very unusual way of proceeding; and the Question was so large and important that I thought it more respectful to the House that it should be put on the Paper.

MR. W. A. MACDONALD (Queen's Co., Ossory) I may be allowed to explain——

MR. SPEAKER: Order, order!

MR. T. M. HEALY: I wish to ask whether it is not a fact that the Question of the hon. Member for Antrim related to a matter which appeared in the newspapers on the 16th instant?

MR. SPEAKER: Order, order!

MR. MACARTNEY (Antrim, S.) said, his Question appeared on the Paper on Friday last. Unfortunately, he was unable to put the Question to the right hon. Gentleman on that occasion, and he now took the earliest opportunity of asking it.

MR. J. W. LOWTHER (Cumberland, Penrith): The Charity Commissioners hope to be able to place a sum of £5,500 per annum, or thereabouts, at the disposal of the General Governing Body to be constituted under the City Parochial Charities Act. Perhaps the House will allow me to correct an inaccuracy of which I was guilty during the debate on the Vote for the Charity Commission. I then said that a scheme was under discussion for St. Giles's, Cripplegate. I should have said St. Botolph's, Bishopsgate.

PRISONS (IRELAND)—DR. BARR, AN INSPECTOR OF PRISONS.

MR. CLANCY (Dublin Co., N.): I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland a Question of which I have not given him private Notice, but of which I do not think he will require any Notice. It is, whether the Government has employed, and is paying, Dr. Barr, who appears every day at the inquest on Mr. John Mandeville; whether he is the same impartial person who was appointed to inquire into the condition of Mr. O'Brien and Mr. Mandeville in Tullamore Prison; and, if he is paid and employed by the Government, under what head in the Estimates his salary will appear?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, it was perfectly true that he requested his right hon. Friend the Home Secretary to allow one of the best officials in the management of prisons at his disposal to give him some assistance in Ireland in connection with the inspection and management of Irish prisons. That gentleman was Dr. Barr.

MR. CLANCY asked, whether the right hon. Gentleman would instruct Dr. Barr to conduct himself as a gentleman in the Coroner's Court?

MR. SPEAKER: Order, order!

MR. T. M. HEALY (Longford, N.) asked, whether it was a fact that Mr. John Dillon was called upon in Dundalk Gaol a week or 10 days ago by a doctor, who required him to submit himself to

an examination, but who refused to give his name; whether Mr. Dillon, upon that refusal, declined to submit himself to examination; whether that person was Dr. Barr; and, if so, why he refused to give his name?

MR. A. J. BALFOUR: Really, Sir, I think that the hon. and learned Gentleman should give me Notice.

ORDERS OF THE DAY.

SUPPLY [1st JUNE].—REPORT.

[ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [12th July], "That this House doth agree with the Committee in the first Resolution."

1. "That a sum, not exceeding £27,968, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1889, for the Salaries and Expenses of the Department of Her Majesty's Secretary of State for the Colonies, including certain Expenses connected with Emigration."

Question again proposed.

Debate *resumed.*

DR. CLARK (Caithness), in moving to reduce the Vote by £500, for the purpose of expressing his dissent from the policy pursued by Her Majesty's Government with regard to Zululand during the last 12 months, and especially in sending back Usibepu, thus causing a renewal of war in that unfortunate country, said, there had been three settlements of the country since the unfortunate war of 1879. Each one of these had been followed by war, and the cause of each one of those wars was the Chief Usibepu. It would have been wise policy on the part of Her Majesty's Government to support Cetewayo against Usibepu. Usibepu had a large and well-supplied army, which had been drilled and trained by whites. Cetewayo had none of those advantages, and he was defeated; while Usibepu remained in the country, and the settlement previously made was broken up. Usibepu was afterwards defeated, and turned out of the country, and remained out of it until Her Majesty's Government sent him back in January last, when the third war began. Lord Derby had pointed out that he had been accepted only after he had deluged the whole of Zululand with blood and had announced his intention of increasing Cetewayo's territory; but Her Majesty's Government did nothing at all, and there was no settlement, except such as was made by the Zulus and a few Boers who took possession of the country, and in 1884 had Dinizulu, Cetewayo's only son, proclaimed King. The Reserve had in the meantime been filled with anarchy; but Her Majesty's Government would have nothing to do in the matter. Relatives of Cetewayo Dinizulu's uncles and his five half-brothers, now came into power, and governed the country in his name; but the Zulus had to pay the Boers, as the ancient Britons had to pay the Saxons, for foreign aid against their invaders, and the Boers began overrunning the country. The question of the price to be paid was left for some time indefinite, but ultimately 2,700,000 acres were fixed upon, although it was doubtful whether the Zulus generally had any idea of the extent of land that was demanded. By-and-bye the British Government began to interfere, not to protect the Zulus, but because it was found that British interests were affected, as the Boers were getting near the sea. Negotiations were entered into between Her Majesty's Government and the Boers in Zululand, who had formed themselves into a new Republic. The idea was to limit the area of land to be given to the Boers and to keep as much as possible for the Zulus with the primary object of keeping the Boers from the sea. It was supposed that, if they once got to the sea the German or some other Power would obtain a controlling influence in Central Africa through the Boers seeking their aid. Those inland States desired to get to the sea in order to avoid paying what they regarded as unjust taxes upon goods that passed through British Colonies. It was a mistake to suppose that those people wanted to have anything to do with the Germans; and if Germany were to interfere with us, we should have no better troops than the Boers if we would only stop the injustice of compelling them to contribute to the taxation of our Colony. In handing over Zulu territory to the New Republic and in every other way we had sacrificed Zulu interests to our own, which was altogether a mistaken policy, and, of course, the Zulus were not

well pleased with us. They wanted to come here to state their case; but they were refused passes to enable them to do so. If they had been fairly heard, they would not have been as dissatisfied as they were now. We had determined the boundaries of the New Republic, we had reduced the area of Zululand, and the question was what was to be done with the remaining Eastern portion of Zululand? There were two courses open to us, either to establish a Protectorate, or to annex Zululand to a Colony. A Protectorate had been proposed, and would have been the best for the Zulu people; but, unfortunately, there were always officials who were looking forward to Governships. If we had waited patiently we, as a matter of fact, might have annexed the Zulu people with their own consent; but, unfortunately, we had acted precipitately and with the consent of petty Chiefs, but without the consent of the great Chief and the King of Zululand. The Government annexed the country, and having made unwilling subjects, proceeded to coerce them, and they had worried the Chiefs into taking up arms against us. That they had done by establishing a system of passes, and in other ways that were most vexatious and irritating. In fact, they seemed to have looked upon this part of Zululand as if it were a new Ireland, and to have determined to adopt a policy of coercion, and the Zulu Chiefs not unnaturally were resisting this interference with their liberty. Sir Theophilus Shepstone had advised the Government to send Usibepu to Central Zululand, saying that his presence there would be as useful as an armed force. Thereupon Usibepu was sent among the Chiefs to overawe them, and he (Dr. Clark) blamed the Government for acting on that advice, for that Chief began at once to clear out all the followers of Dinizulu and to take possession of their villages and standing crops. In that way Usibepu had fomented war, and once more showed himself a curse to the country, deluging it with blood. He (Dr. Clark) did not know what he should be told about the war, because no Papers had been given them about it, and all his information on the subject came from the Chiefs and the people affected by these events, and it was altogether of a most unsatisfactory character. The following account of the circumstances of the first engagement he believed to be true:—A police force, accompanied by some of Usibepu's men, was sent to arrest certain Zulus who were accused of taking property which did not belong to them. Dinizulu's people refused to surrender the accused men, and an armed force was at once sent against them and fired upon them without parley or notice, two messengers sent by Dinizulu being killed. The Government were now calling upon the Basutos and other tribes headed by vagabonds like John Dunn for aid in their operations against Dinizulu, and were thus laying the foundations of future blood feuds. He protested against the employment of Native levies in a South African war, for they often committed great atrocities, and for the conduct of these barbarous savages English commanders could not be responsible. He was glad to think that signs were not wanting that Sir Arthur Havelock was awakening to the fact that he had been misled by his advisers in these affairs. In one of his letters, censuring Mr. Osborn, he said—

> "I am reluctantly compelled to think that more fair and greater discretion might have been exercised in the restoration of Usibequ. Allowances should have been made for the difficulty which the chiefs found in accommodating themselves to the new order of things, which was in some respects disappointing and distasteful to them."

Now, who were the men upon whose advice the annexation had been effected? They were men who had already caused a great deal of trouble in South Africa—Sir Theophilus Shepstone, his son, and Mr. Osborn. Those were the men who made the Government believe that the people of the Transvaal wished for annexation when, in reality, they were bitterly opposed to it. Not only did they mislead the Government, but they meanly swindled them. The money spent by these men for clothing, hair brushes, fishing rods, vases, and other articles of use and luxury was, at one time, all put down as money spent on forage. He was glad to know that the bill was surcharged, and that Sir Theophilus Shepstone's pension was stopped. He believed, however, that the present Government intended to restore it. Lord Knutsford was quite wrong in thinking that the Zulus were aiding Dinizulu under the influence of fear. They were aiding him of their own free will, and were ready to lay

down their lives in the cause which they had espoused. It was also a mistake to imagine that the Boers were in any way concerned in the disturbances. Boer filibusters did not care to fight, unless something was to be gained by it. He believed that Zululand might be made as peaceful as Basutoland if they worked through and made friends of the Chiefs, and he thought that it was now very necessary to appoint a Commission of Inquiry into the condition of things in South Africa; without it no information of value could be obtained, and valuable lives and treasure would continue to be spent. Did the Government believe that they would control the northern Zulus, if that people heard, as they certainly would hear, of the conduct of the Government towards the southern Zulus? There were going to be more wars, and if they could get some trustworthy information, the Government might be able to solve the difficulties of South Africa, which was now the only place where such troubles existed. He begged to move the reduction of the Vote.

MR. SPEAKER said, that at that stage the hon. Member could not move the reduction of the Vote. The Question before the House was that they agree with the Committee in their resolution to pass the Vote. The hon. Member could say "No" to that proposition.

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham) said, he hoped the House would allow him to represent his hon. Friend the Under Secretary for the Colonies (Baron Henry de Worms), who was prevented by his official duties from attending at the House. He hoped the House would come to the conclusion that neither the present Government nor the preceding Governments which had administered the affairs of Zululand had deserved the very wholesale censure which had been cast upon all Governments and every Administration by the hon. Member opposite (Dr. Clark). If there was one subject more than another which those who had held Office in this House could not afford to reproach one another about, it was about the condition of Zululand; because all Governments had to deal with this extremely difficult subject. All Governments had no doubt made some mistakes in dealing with it, and all the House of Commons could do was to watch the administration of successive Governments, and hope that ultimately this extremely difficult problem might be satisfactorily solved. He hoped the House would forgive him if he did not follow the hon. Member for Caithness into all the topics with which he adorned his speech. He did not intend to follow the hon. Member into the personal matters to which he referred. He did not understand that the hon. Member brought any specific charge against any of the persons he had named, except Sir Theophilus Shepstone, and that was a very old story about his expedition prior to the annexation of the Transvaal. He happened to know something about that, because he was Chairman of the Committee of Public Accounts at the time when those accounts were brought before it, and they were disallowed and reductions were made. He could only say, speaking from recollection, that nothing was done by Sir Theophilus Shepstone that merited the charge made against him. No doubt the accounts were irregular, and as being so were disallowed; but the Committee were unanimously of opinion that there was not a word against his private honour or public integrity, and he thought it was on the recommendation of that Committee that the disallowance of his pension was rescinded, and that he now enjoyed his full pension. He did not like to go back quite so far in the history of Zululand as the hon. Member. He thought it was quite enough to begin in 1879, when the conquest of Zululand was accomplished. From that moment the British Government became virtually responsible for some settlement or other in that country, and the effects of successive Governments since that date had been to extricate themselves as honourably as they could from the liabilities which that conquest had thrown upon us, and to endeavour to make a settlement at once beneficial to the Zulu people and not onerous to the British taxpayers; and he felt bound to say that up to the present time, the honest efforts which had been made by successive Governments had not led to very considerable success. The hon. Member opposite had referred to the restoration of Cetewayo. Whether the restoration

of Cetewayo to supreme power in Zululand would or would not have been a settlement of the affair was a vexed question; because, although it was understood that that was the sort of settlement which was promoted by the Government of 1880-5, of which the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) was the head, yet that policy was never actually carried out, because, instead of Cetewayo being restored to supreme power in Zululand, the country was divided into three parts, and an attempt was made to maintain a Reserve under the direct government of British authority, a portion of the residue was placed under the command of Cetewayo, and the remainder under the powerful Chief Usibepu, of whom the hon. Member had spoken. Usibepu and Cetewayo quarrelled. Usibepu proved the stronger and drove Cetewayo to the Reserve, where he afterwards died. Neither did he propose to follow the hon. Member into the settlement made by the Secretary for War (Mr. E. Stanhope) in 1886. That was made under circumstances of some difficulty. Although consummated by the present Government, it was initiated and was entirely due to the Government of the right hon. Member for Mid Lothian. Dinizulu had made a compact with the Boers in 1884 by which he ceeded 4,234 square miles of territory to the Boers. It was not until after that—not until March, 1886—that the Zulu Chiefs appealed to Sir Arthur Havelock to save them from the utter destruction which the incursion of those Boers threatened; and it was not until that appeal from the Zulu Chiefs themselves that the Government commenced the negotiations with the New Republic about the line of demarcation which were finally consummated by his right hon. Friend. The responsibility for the initiation of those negotiations therefore rested with the late Government. He did not follow the hon. Member into the question of the Customs Duties. The hon. Member attributed the very worst motives to the late and to the present Government in regard to the negotiations. He (Sir John Gorst), on the contrary, believed they were actuated by the best motives, by the desire to save the remnant of the Zulu people from the very certain fate that would have overtaken them if the Government had not interfered. He did not think the late or the present Government were animated by those motives attributed to them by the hon. Member.

DR. CLARK said the hon. and learned Gentleman misunderstood him. What he said was, that the reason believed in Zululand was that the Government wished to make them still pay blackmail.

SIR JOHN GORST said, he trusted that that delusion was in course of being entirely removed. There had been a conference on that subject which had ended satisfactorily, and it only awaited the approval of the Legislatures of the various Colonies concerned to bring that vexed question to a conclusion. He did not think, however, that result would be at all assisted by the hon. Member's speech. The result of the negotiations had been that, instead of 4,234 square miles, which the Zulus ceded in 1884, 2,854 square miles only had been ceded, and the remainder of the territory was brought under British protection, part as Reserve, and part as what was known as the territory of Eastern Zululand. That agreement having been come to, it became the duty of his right hon. and noble Friend the Secretary for the Colonies (Lord Knutsford), at that time a Member of the House of Commons, to determine in what way that territory—for the government of which this country had then taken a very much more admitted responsibility by that settlement with the New Republic—was to be governed. He (Sir John Gorst) did not know that that subject was under discussion in the House at the present moment. It was discussed last year, though not perhaps under the best possible auspices, for it was interpolated as one of the dilatory Motions which were brought forward during the progress of the Crimes Bill. At any rate, it was discussed, and, although the senior Member for Northampton (Mr. Labouchere), with that profound knowledge of the British Empire which characterized him, denounced the Government in no measured terms, he did not think the hon. Member's denunciation was supported by the official Opposition. He would, therefore, pass by that question. He now came to the questions whether, since the annexation of Zululand, Her Ma-

jesty's Government had in the administration of that country made mistakes which deserved censure, and whether they were now endeavouring to administer the affairs of Zululand on principles which the House of Commons would approve and support. He thought he could show that, on the whole, the administration of the Government had been sound, and that the policy they were pursuing in South Africa was such as to deserve the confidence of the House, such as it could well approve, and the country also at large. The hon. Member (Dr. Clark) had a much easier way than he (Sir John Gorst) had of settling the present difficulty. The hon. Member said that Usibepu caused all difficulty in Zululand, and that he was the man who had brought about the present war. The hon. Member saw Usibepu everywhere—that Chief was to him the cause of every difficulty, and he really talked as if her Majesty's Government had invented Usibepu. Unfortunately, having undertaken to govern the country, the Government had that awkward customer to manage as well as the other Zulus. If Usibepu were not in East Zululand he would be in the Reserve, where he might be as troublesome as, or even more troublesome than, he was in his present position. When they undertook to govern a semi-civilized people like the Zulus, they must necessarily encounter a great many difficulties, and must deal with them as best they could. He did not think that the mode in which Usibepu had been treated deserved the censure of the hon. Member. It was true that when Usibepu was defeated and driven into the Reserve, Lord Derby refused him military aid, on the ground that he had been distinctly warned and told that he must maintain himself by force of his own arms. The hon. Member represented to the House that Lord Derby cast some censure on Usibepu; but, in reality, his Lordship did nothing of the kind. His Lordship said, that this country was not bound to go to war for the purpose of restoring Usibepu; but that, as he had been driven into the Reserve, we would give him an asylum there, though he could do nothing further for him. It was also true that in 1886 Lord Granville, acting on the advice of Sir Arthur Havelock, refused to let Usibepu return to his own territory. The ground for that decision was the unsettled state of Zululand. At the same time, a promise was made to Usibepu that when affairs were on a more satisfactory footing, his position should be considered. But when we assumed the Sovereignty of Zululand, the state of affairs changed. Every Zulu was entitled to our protection, and there was no logical ground for withholding permission from Usibepu to return. Accordingly, in August, 1887, Sir Arthur Havelock, who had recommended Lord Granville to refuse Usibepu permission to return in 1886, himself earnestly begged the Secretary of the Colonies to entrust him with the authority to arrange the repatriation of Usibepu, under certain conditions. That request was backed up by Sir Theophilus Shepstone, Mr. Osborn, and the other officials. The Secretary of State, writing on September 12, 1887, said—

"Having regard to the strong opinions expressed by those best qualified to form them, I am prepared to leave you full discretion to act as you think best in this matter, it being clearly understood, however, that Usibepu is not to resume his former position as an independent Chief, but that he will be a British subject, exercising only such powers over his own people as the Government may assign him."

Shortly after the receipt of that despatch, Sir Arthur Havelock thought proper to restore Usibepu to his old position in Zululand. Looking at the matter in the light of the evidence of subsequent events, he had not the slightest hesitation in saying it would have been better if Usibepu had been kept in the Reserve, instead of being restored to his own country. There was no doubt that the experiment had been unfortunate, and soon after the experiment was tried, Sir Arthur Havelock admitted that there was considerable uneasiness in the minds both of the Usutus and the other Zulus. On the 18th of January in the present year, Sir Arthur Havelock stated that he was alive to the necessity of great care and circumspection. The hon. Member for Caithness attributed the outbreak of the present disturbances in Zululand to Usibepu's turbulence and determination to fight, but nothing was more remote from the truth, for in reality he had not been engaged in any

operations which were calculated to promote disturbance. In the Papers which would shortly be laid before Parliament, hon. Members would find that every effort was made to explain to Dinizulu the grounds and conditions on which Usibepu was restored. The real cause of the disturbances was that Dinizulu and Undabuko had been induced to give ear to reports which had been industriously circulated, to the effect that the British Sovereignty was not going to be maintained in Zululand; that they were likely to draw back, and leave their allies to their fate; and it was the hope inspired in that way that led Dinizulu and Undabuko to make preparations for securing to themselves the reversion of the Sovereignty of Zululand. As long ago as April 6 last, Dinizulu left Zululand and entered the Transvaal and the New Republic, endeavouring to obtain recruits and adherents for his intended resistance to the British Government. He was, however, glad to say that neither the Government of the New Republic nor the Government of the South African Republic lent any heed whatever to his proposal. Both those Governments had acted in perfect loyalty to the British Government, and had given no countenance whatever to the disturbances. Although there might be an odd filibuster or two in Dinizulu's camp, they were merely independent and isolated personages, and had received no encouragement, direct or indirect, from the Government of any Republic in South Africa. On May 13 Dinizulu returned to Zululand, and on June 2 the attempt was made to arrest him and Undabuko, which, if it had been successful, would probably have prevented any of these outrages. No doubt, that was a very unfortunate attempt. It was made by Mr. Osborn, in conjunction with the Military Authorities, and it was made after distinct warning from Sir Arthur Havelock that no such attempt was to be made, unless the authorities were satisfied that the force at their disposal was sufficient for the purpose. But he would like the House to mark clearly that the attempt was made because Dinizulu had actually seized the cattle of Umnyamana, who was one of the most loyal and reliable Chiefs in Zululand. As hon. Members knew, reinforcements had been sent in the shape of one regiment from the Cape of Good Hope, and one of the regiments now in Egypt would, on its way to the Cape, stop at Durban, and, if necessary, proceed to Zululand, and the Military Authorities there assured the Government that when these reinforcements arrived they would have a sufficient force to put down the rebellion. There was in the camp at Ceza an unknown number of Zulus headed by Dinizulu and Undabuko, and it was against that body that these reinforcements would be directed. It must be admitted that, having undertaken the government of Zululand, and having annexed the territory to the British Crown, Her Majesty's Government must put down all armed resistance which existed within the territory, and it was quite impossible that anything could be done until these Chiefs had been compelled to abandon their present attitude of attempting to take the Sovereignty of Zululand out of the hands of Her Majesty's Government. The contest would be simply one between the British force, representing the authority of the British Crown, and Dinizulu and his friends, who were now in armed opposition to it. There was no intention whatever, when the camp was broken up, to punish the people committing these outrages with any undue severity, and the moment armed resistance was put down and Dinizulu's force dispersed, every attempt would be made to induce the Zulus to go back to their old peaceful avocations, and no vindictive measures would be resorted to with the object of punishing them for the part they had taken in the war. The ringleaders must, however, be punished.

COMMANDER BETHELL (York, E.R., Holderness): Is that a definite statement of policy?

SIR JOHN GORST said, it was. The Secretary of State for the Colonies had not yet, of course, received full details as to what had occurred; but it seemed clear that it was impossible for the British Government to tolerate the presence in Zululand of men who had stirred up the people to attack the Sovereignty of the British Crown. Moreover, it was essential that Undabuko and Dinizulu should be removed; because it was quite clear that there could be no peace or good government in the country as long as the ringleaders

who had incited the people to take up arms against the authority of the British Crown remained there as a centre of disaffection. When the insurrection was put down, there was no desire or intention to act harshly towards the people, because the Government believed that they had been encouraged to engage in these hostilities in ignorance, and without any complete knowledge of the facts, and that they deserved rather the compassion of the Government than anything like severity of punishment. It must, however, be distinctly understood that from the duty of asserting the Sovereignty of Great Britain over Zulu territory the Government would not go back. Having once undertaken the government of that country, it was impossible to tolerate any power setting itself up against the authority of Great Britain, and any attempt to negotiate with persons while actually in armed resistance to our power would be a most cruel wrong even for the Natives themselves, and would cause a great deal more destruction and bloodshed than a short, sharp engagement. In mercy to the Zulu people themselves, it was imperative that the armed resistance should be immediately put down, and that the inhabitants should be made to know that Her Majesty's Government intended to maintain the Sovereignty they undertook two years ago. So far as the action of Her Majesty's Government in London was concerned, he did not think that even the hon. Member for Caithness could find fault with that. So far as the conduct of the local officials was concerned, he admitted at once that the restoration of Usibepu was unfortunate; but he thought that he had a very strong claim to be allowed to go and enjoy his own territory, and he thought he had shown that at the outbreak of hostilities Usibepu was not concerned. In conclusion, he hoped, now that it was known distinctly that Her Majesty's Government would not surrender the Sovereignty of Zululand, and intended to reduce the country to a state of order and obedience to the law, this temporary outbreak might speedily be put down. He was afraid, however, he would be too sanguine a prophet if he were to say that that was the last the House would hear of Zululand. Still, he hoped that the manly and direct responsibility the Government had now undertaken for the administration of the affairs of the country might, at least, lead to a more settled state of affairs in it, and that ultimately the task which this country had been compelled to take upon itself of governing Zululand might be accomplished with honour and success.

MR. OSBORNE MORGAN (Denbighshire, E.) said, it was high time this important Question, which had been so often postponed, should be fully discussed. It was to be regretted that the hon. Gentleman the Under Secretary of State for the Colonies (Baron Henry de Worms) was not able to be present; but he could not have selected a more able substitute than the hon. Gentleman the Under Secretary of State for India (Sir John Gorst). Lord Knutsford had said the other night that the situation in Zululand, though not dangerous, was serious. But for the last 10 years the situation in Zululand had been a serious one. Ever since that disastrous Zulu War by which we had crushed the life out of a brave and high-spirited people and had turned a nation of soldiers into a nation of serfs Zululand had been a thorn in our side. He would not go through the long and dismal tale—the Wolseley settlement—the restoration and death of Cetewayo—the irruption of the Boers and the so-called cession to them of the greater part of Zululand—those were matters of history. He would come at once to the settlement of May last, and the tripartite division of Zululand. Of that settlement he had remarked at the time that we were making the best of a bad business. But, be that as it might, it was essential to its success that it should be loyally and permanently accepted by all parties, Yet the ink on the Proclamation was hardly dry before two of these Zulu Chiefs, Dinizulu and Uzibepu, were flying at each other's throats. That was hardly surprising, for the normal state of these men was one of inter-tribal warfare, and considering the hereditary character of their feuds it was about as probable that a cat and dog should live in peace and amity together. That was a contingency against which he thought the Government ought to have been on their guard, and he could not acquit them of blame. Indeed, Lord Knutsford admitted that our force was not equal

to maintain order in the country, and it was impossible to ignore the fact that while Dinizulu, as Cetewayo's son, represented what was left of the national sentiment in the country, his rival, Usibepu, was hated by the National Party among the Zulus. There was another fact, however, which greatly aggravated the difficulties of the situation. About a week ago a paragraph appeared in *The Times* from the Durban correspondent of that paper, who appeared to be well informed, which stated that it was beyond doubt that Dinizulu was receiving assistance from White men, and that the authorities of the New Republic were powerless in the matter. We had now, according to the statement of the hon. Gentleman, some 1,500 or 1,600 European troops and some 600 Native levies in Zululand, so that we had there all the materials for a war on a small scale. No doubt that force, especially if strengthened by the reinforcements which were under orders to proceed from Egypt, would be sufficient to cope with the Zulus. But a Boer war in the background was, as they knew to their cost, a very different thing. Lord Knutsford had said that the authorities in the Transvaal and the New Republic were behaving loyally at this crisis; but he must be excused for not placing absolute confidence in the Rulers of those territories, or rather in their power to hold in hand their own people. At such a juncture the death of Sir John Brand—the President of the Orange Free State—a man of great ability and scrupulous integrity, who had always acted with perfect loyalty to this country, was an incalculable misfortune. He had no wish to embarrass the Goverment, who had enough on their hands already. It might be necessary to put down this rebellion by force, for we had annexed the country, and we must assume the responsibilities of annexation. A mere paper annexation was of all evils the worst, and we must be prepared to govern as well as to conquer. It was difficult at this distance to say how far the problem was a military and how far an administrative one, and he observed with regret from *The Times* of to-day that a serious friction existed between the Civil and Military Authorities. It was not the first time that such a state of things had arisen; but it was always to be deplored, and the sooner it was terminated the better. What was really wanted was that as soon as this rising was over Zululand should be administered not only with a firm hand, but with some regard to the wishes and sentiments of its people. The history of Basutoland—not much more than 100 miles distant—presented a marked contrast to that of Zululand. Basutoland, thanks to the good sense and firmness of one of the best public servants the Crown ever had (Sir M. Clark), had been administered in a manner most creditable to the British Government, and he devoutly hoped that the authorities in Zululand would learn a lesson from that distinguished man, and would not attempt to ride rough-shod over a people who, like most other savage nations, were easy enough to govern provided they were governed in the right way. If the hon. Member went to a Division he could not support him, and he would tell him frankly why. The expression of a strong difference of opinion in the House of Commons might weaken our authority in South Africa when it was of the utmost importance just now to strengthen it; and if, as he had always maintained, there was to be a continuity in our Colonial policy, it was desirable, except upon grave questions of principle, that the action of the Government of the day should not be lightly challenged.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale) said, that he could not agree with the right hon. Gentleman opposite that they ought to ignore altogether the history of this question, because it was from the past history that they could best learn what they ought to do now. He believed that the present position of affairs in Zululand was a very serious one, and while it called in question our whole policy in South Africa, it would, he hoped, prove the turning point in that policy. The hon. Member for Caithness (Dr. Clark) had spoken that night as the advocate of what he might call the Royal Party in Zululand; but the Royal Party had been destroyed in war. The ancient history, as it had been termed, of Zululand stopped with the complete break up of the organization of Cetewayo as a party system. He would remind the hon. Member for Caithness that Cetewayo was neither by blood, election, or other constitutional means, the head of the Royal Party; he was only one of

Panda's sons, selected chiefly by the aid of the British Government from among all the sons, who fought among themselves, the object of the British Government being that there should be some representative of the Zulu nation. But in 1879, whether rightly or wrongly, the Zulu nation was broken up, with the result that the Zulus were left without any organization or head. The restoration of Cetewayo, which was strongly deprecated at the time by the present Secretary of State for the Colonies (Lord Knutsford), failed, because there was no central authority to maintain law and order over everybody. The annexation of Zululand followed, and the restoration of Usibepu. In taking over that country he maintained that we became morally responsible not only for law and order, but for the peace and prosperity of the country, and he contended that it was our duty to retain in our hands sufficient territory in Zululand for the Zulus to live upon. No mention had yet been made in that debate of the views of the Colony of Natal on the subject; and he wished to emphasize the fact that they ought to pay the greatest attention to the opinion of that essentially English Colony. There had been a proposal from Natal which he very much respected, that they should relieve the British Empire of all trouble in the matter by taking Zululand over and ruling it themselves. That proposal should be treated with great respect. Though he did not think Natal was as yet sufficiently advanced in power or wealth to take over the control of so turbulent and disturbed a country, we should not forget that we had out there a band of prosperous Englishmen, ready to assist us in bearing the responsibility the Empire had incurred in Zululand. With regard to the feelings and intentions of the Boers, he must really deprecate the incursions made by the hon. Member for Caithness into the commercial policy of the Free State, because that policy had nothing whatever to do with our policy in Zululand. He fully re-echoed what had been said by the right hon. and learned Member for East Denbighshire (Mr. Osborne Morgan) as to the loss which South Africa had sustained by the death of Sir John Brand. He had seen a great deal of him, and it was quite true that, while he was first for his own country, under him the Orange Free State always worked hand in hand with the British Government. He hoped the day had gone by when we might look upon the Boer States as our foes. The events which had occurred in Zululand showed that the Boer Republics had loyally acted in our interest and their own in opposing anything like turbulence or rebellion on their borders. A pamphlet had recently been published with regard to South Africa to which he should like to draw the attention of the House. It was entitled *Boers, Blacks, and Blackguards.*

MR. JOHN MORLEY: British.

SIR GEORGE BADEN-POWELL said, he thought that must have been a parody, because the one he saw was as he had quoted it, and he wanted to refer to the last class in that book—the blackguards. In South Africa there were a great number of persons who were Europeans in blood, but who were certainly not Boers in the ordinary sense of the term. Those men were ready at the slightest sign of turbulence to join on either side, hoping out of the scramble to obtain somethipg to their own benefit, and those men were our greatest trouble. It was said they were siding with Dinizulu already, and unless we showed a strong front there were hundreds, if not thousands, ready to flock to the standard of any rebellious Chief in the hope of sharing the plunder, and it was against these men chiefly they had to guard; and we could best do by a greater display of strength and a more consistent policy. There was another point with regard to the administration of Zululand that he wished to mention. Careful inquiry in Bechuanaland had convinced him that if we had set up a firm permanent administration there at a cost of £10,000 or £15,000 we should have avoided an expedition which cost the country over £1,000,000 sterling. He hoped we should be forewarned this time, and avoid anything like that in Zululand. He fully agreed with the hon. Member for Caithness as to the weakness of the administration that had taken place in Zululand up to this. When they found their Representative there addressing such language as he did to Dinizulu after he had become a rebel against the Queen's authority, it was time that he should be either rebuked or recalled. What was wanted was a sufficient show of force to call upon

the Chiefs to attend before a magistrate and give an account of themselves when they did wrong. No half-measures were of any effect with these people. He hoped that Her Majesty's Government were taking measures to send sufficient troops to South Africa. They had most wisely ordered reinforcements out, and he trusted that they would not hold their hand, but would send more reinforcements. He trusted that the Government would give them some explanation of the very serious telegram that appeared in that day's *Times*, which told them, rightly or wrongly, that serious friction existed between the Civil and Military Authorities of Zululand. He hoped that this was not the case, and now that the Civil Government had broken down in Zululand full and complete responsibility would be thrown on the Military Authorities to re-establish the Queen's authority. That, he thought, was absolutely necessary. When law and order were restored there then a strong civil administration could follow. He could wish nothing better than that Sir M. Clarke should be sent out to Zululand. That would be much better than the Royal Commission which the hon. Member for Caithness advocated. He was not at all confident that the removal of Dinizulu and Undabuko would settle everything; for they must remember that the removal of Cetewayo and Langilebalele did not settle the country, and he thought they ought to send a strong and experienced administrator to Zululand. The Government must show by our force that we were willing to undertake the responsibility of Empire, and that we remembered that cardinal political maxim that in a Government weakness was wickedness.

MR. JOHN MORLEY (Newcastle-upon-Tyne) said, that no subject could come before the House which more required us to see in what direction we were going than that now under discussion. No one could be more competent to address the House upon this question than the hon. Member who had just sat down; and he (Mr. John Morley) had been surprised to hear him repeating exactly the remarks which had laid the foundations for the admitted mistakes into which Mr. Osborn, Sir Theophilus Shepstone, and Sir Arthur Havelock had fallen with regard to Zululand. The hon. Member had said that the Royal Party in Zululand had been entirely destroyed, and that they were entirely broken up, and that we had no longer to deal with a nation. The Blue Book had shown that the mistaken theory of the three gentlemen he had just named, able as they were, had been that there was no National Party in Zululand, and that there was no Zulu nation. But, in that case, how was it that whenever any Members of the Royal Family came forward they were sure to attract to themselves these tribes, and that the whole of the people rallied round them? The fact was that there now existed a great number of the Native inhabitants of the district—by far the greater portion of it—who were National, and by the course we were taking we were sending regiments of soldiers to coerce the very people who, we were told, were yearning for our presence. He was afraid that a more grievous mistake had never been made in history than that which we had committed with regard to this unfortunate country, and which, apparently, we were about to repeat. By the disastrous policy which had been pursued by Sir Bartle Frere the Zulu nation had been broken up. The greater portion of what remained of the nation was following Dinizulu; and it was with them, led by their voluntarily chosen and adopted Chieftain, that we were going to fight, following exactly the same lines that had led us to disaster in Zululand. We had got into a fresh mess in the same manner that we had got into the old one. How could anyone talk, as the Under Secretary had talked that evening, of our acting for the benefit of the Native race, when he remembered that our intervention, coloured and veiled by exactly the same honourable plea in its intention, but by the same mistaken plea for that policy, had deluged Zululand with blood, had led to the destruction of far more thousands of Zulus than Cetewayo and other Chiefs had ever destroyed? He wished the hon. Baronet the Member for the City (Sir Robert Fowler) to say whether the intervention of the English power in Zululand had not been as great and cruel a disaster to the Native races as could possibly be. He would, therefore, utter his protest against the renewal of that mischievous and mistaken policy upon exactly the same principles and plea urged by Sir Bartle Frere in 1879.

Some sort of peace must be restored in this portion of Zululand, but the Government were going the wrong way about it in insisting upon the restoration of Usibepu. He merely wished to ask the Government on that occasion whether they intended to insist upon the removal of Dinizulu, and trusted they would not conclusively pledge themselves to do so.

SIR ROPER LETHBRIDGE (Kensington, N.) said, he should have supported the proposal for a Commission of Inquiry if the hon. Member for Caithness had urged the demand on other grounds than those which he put forward. Those who had watched the course of events since the annexation of Zululand would agree with much that had been said as to the doubtful character of the policy that had been pursued in that country of late. But the hon. Member went further. In demanding this inquiry he took up the cause, not of a nation, but of one faction only. The hon. Gentleman had blamed the Government for permitting Usibepu to return from the Reserve into his own country in Eastern Zululand, and he certainly had gone out of his way to attack those who were at the present moment British officials in that country. The fact they had to remember was this —that the National power in Zululand had been destroyed; we had no longer to deal with a nation, but with a small faction headed by Dinizulu and his friends. It was necessary that we should put down armed resistance to the authority of the Queen before entering into negotiations with those carrying on the armed resistance. Any attempt to invest Dinizulu and his faction with the dignity pertaining to a nation would be a very great blunder indeed, especially so long as those men were in open opposition to the power of the Crown.

MR. PICKERSGILL (Bethnal Green, S.W.) said, he had to complain of the absence of the hon. Gentleman the Under Secretary of State for the Colonies (Baron Henry de Worms), who seemed to be away on business in no way connected with the Colonial Office. No doubt the business on which the hon. Gentleman the Under Secretary of State was engaged was important from the Government point of view, but the appointment seemed to be an illustration of that unfortunate chopping and changing of Offices, in the course of which the square man happened to be put into the round hole. The other evening the affairs of Mauritius were brought under the notice of the House, and the reply on behalf of the Government was made by the hon. and learned Gentleman the Solicitor General for Scotland (Mr. J. P. B. Robertson), whose conspicuous ability was universally recognized, but who had no kind of responsibility for the Colonial Office. Scarcely a day passed without some difficult question being raised in the House; and there was absolutely no one from whom they could elicit full information and upon whom they could fasten responsibility. This was a most unfortunate condition of things. It was not respectful to the House, and scarcely showed, on the part of the Government, that regard for the interests of our Colonies about which they so loudly protested.

SIR ROBERT FOWLER (London) said, he would remind the House that the hon. Gentleman the Under Secretary of State for India (Sir John Gorst) had, during a long course of years, taken a prominent part in the debates on South Africa. They regretted the absence of the hon. Gentleman the Under Secretary of State for the Colonies, but there was no man more entitled to speak with authority on South African questions than his hon. Friend. As to the Mauritius debate, he believed that the hon. and learned Solicitor General for Scotland on that occasion had sat with Lord Knutsford, the Colonial Secretary, during the protracted discussions with Sir John Pope Hennessy; and therefore his hon. and learned Friend was able to represent the Government in that debate. The right hon. Member for Newcastle-upon-Tyne (Mr. John Morley) had made personal reference to him in this matter. He (Sir Robert Fowler) had always looked with great regret at the attack made by Sir Bartle Frere on Cetewayo, and he had always looked upon the war as a great mistake, and believed that it laid the foundations of the subsequent events which they had to deplore. He had encouraged the restoration of Cetewayo, which he thought at that time was justified, though it had turned out to be unfortunate. At that time the Government and statesmen of Natal disapproved the course taken by Lord Kimberley; and if Lord Kimberley's action in the

restoration of Cetewayo turned out to be unfortunate, the fault was not to be laid on Lord Kimberley, but on those subordinates in Natal who did not support him. It seemed to him, however, that moving the reduction of the Vote was a most unsatisfactory way of expressing approval or disapproval of a policy, and he, therefore, could not support the Motion. He had very great confidence in the Secretary of State for the Colonies. He thought it would be admitted on all hands that no one holding that Office had had so much previous experience as his noble Friend; and he knew that the noble Lord would carefully consider what course we ought to pursue. He joined his hon. Friend (Sir George Baden-Powell) in paying a tribute to the statesmanship of Sir John Brand, who had left behind him a great reputation, and whose death was a loss, not only to the Free State, but to the world at large.

MR. J. CHAMBERLAIN (Birmingham, W.) said, he agreed with the hon. Baronet who had just sat down as to the advantage which the House enjoyed in the Government being represented on this matter by his hon. Friend the Under Secretary of State for India (Sir John Gorst). Although they regretted the absence of the hon. Gentleman the Under Secretary of State for the Colonies (Baron Henry de Worms), the House would lose nothing in the way of information by the substitution of his hon. Friend the Under Secretary of State for India. With reference to what had fallen from the hon. Member for the South-West Division of Bethnal Green (Mr. Pickersgill), he (Mr. J. Chamberlain) must say he thought that the criticism of the hon. Gentleman was neither just nor generous. The hon. Gentleman the Under Secretary of State for the Colonies was absent carrying out a matter as to which he pronounced no opinion at the present time; but nobody could conceive anything more important to our principal Colonies than the settlement of the question of the sugar bounties which the hon. Gentleman had undertaken. He hoped that his hon. Friend the Member for Caithness (Dr. Clark) had no intention of dividing the House, because his object had been fully gained by the discussion which had taken place. They were indebted to the hon. Member for a most interesting statement of the quarrel which had arisen. The hon. Baronet opposite had referred to the old Zulu War. He (Mr. J. Chamberlain) was one of those who were responsible for the restoration of Cetewayo. He was convinced, now as then, that it was the only right policy to pursue at the time, and if it had had a fair chance it would, he believed, have been successful. But it did not have a fair chance, and for this reason—our officials in South Africa were opposed to it. He did not mean that they did not loyally do their duty to the Government which employed them, but it was quite impossible for persons who believed that a particular policy was wrong to carry it out successfully. With the greatest goodwill and the best desire on their part, they could not do justice to a policy of which they personally disapproved; and he thought the only mistake which the Government of which he was a Member made was that when they determined on that policy they did not find other instruments to carry it out. He understood that the policy pursued in the case of Cetewayo was to be pursued in the case of Dinizulu. He hoped not; but if the Government had arrived at any determination of that sort he trusted that it was a matter for further consideration. He had endeavoured to ascertain the facts, and his sympathies, he confessed, were in favour of Dinizulu as against his opponent Usibepu. Dinizulu, no doubt, represented the influence of Cetewayo. They had succeeded in reducing the Zulu nation to little more than a faction, but Dinizulu had more authority over what remained of the Zulus than any other Chief. Dinizulu was by our action put in a defenceless position as against his opponent; but if they put him on an equal footing he thought that Dinizulu would swallow up Usibepu without any difficulty. Inasmuch as Dinizulu had been led to make an attack upon the British positions, and to put himself in direct opposition to the authority of the Queen, he must be put down. He very much doubted whether Dinizulu knew what he was doing. They must remember what sort of a man they were dealing with. He thought that the Chief had been deceived, and led on from what he considered a tribal quarrel with Usibepu until he had unwittingly found himself in opposition to the Queen of

England. What he pleaded for was that when they had put down Dinizulu mercy and consideration should be shown to him; and that the most careful consideration should be given to the question whether, after all, it might not be well to restore him to his former authority when he had learnt the lesson that he must not attack the soldiers of the Queen. What was the moral of these continual lessons which they were having with regard to South Africa, and especially with regard to Zululand? That debate and other debates on the same subject had been conducted without the least reference to Party Divisions in the House, and there seemed to be a general agreement of opinion that the difficulty in which they were placed arose from an erroneous interpretation of the situation by those in authority in South Africa. This had always been the case. Our officials advised the Government wrongly in the first instance when the original war took place, and he thought that they had advised the Government wrongly ever since. He did not want to say a word against those gentlemen, who, no doubt, were perfectly loyal and very able men. But when he found that again and again the advice which they gave had been wrong, he thought that the time had come when they should consider whether their places could not be taken, with credit and advantage to the country, by others. It was recorded that Peter the Headstrong said that he hated most of all "unfortunate great men." Our great men in South Africa had been very unfortunate. They had led successive Governments into war and into the most grievous expenditure of life and treasure. He did think that under these circumstances, and now at this moment, when they were suffering from a similar want of correct information, the Government ought, he would not say to remove these gentlemen, but at all events to consider whether they should not supplement them by some fresher intelligences, by whom the Government would be kept more accurately informed of the true state of things.

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) said, he quite agreed that it was inconvenient and difficult to discuss this question in the absence of fuller information than they were in possession of. He believed that Papers would shortly be laid before the House on the subject, and they would show that Dinizulu had no excuse whatever for taking the law into his own hands in the way he had done. When the right hon. Gentleman drew a parallel between the action of Cetewayo and that of Dinizulu, it was important to remember that Dinizulu was a British subject living within the territory; and it had been admitted that in the present circumstances the course now being taken by the Government was an absolutely necessary one. Even in the interests of the Natives themselves, the proper course was to put down, first of all, the state of affairs now existing, and to enforce peace and order throughout the country as quickly as possible. As to the ulterior steps, he could not say much. The right hon. Gentleman opposite made an appeal to the Government not to be too hasty in coming to a decision as to the course to be adopted when peace and order had been restored. He entirely agreed with him. It was very desirable that they should be put in full possession of information showing what had taken place, and that they should reserve their judgment on all the questions to be settled until that information was obtained and placed before them. The Government had been asked whether it was true that there was any substantial friction between the Governor and the General Officer commanding in Zululand. He was very glad to say that there was not. The steps to be taken for the purpose of restoring peace and order in Zululand must, of course, be concerted between the Governor and the General Officer commanding; but as soon as those steps were settled the General Officer became invested with full military authority, and was free from the control of the Governor until they were carried, as it was hoped they would be, to a successful conclusion.

MR. A. M'ARTHUR (Leicester) said, he thought the conduct of England with reference to South Africa in general for many years past had been anything but creditable to them, and in regard to their treatment of the Zulus in particular he considered it was unjust and ungenerous. Many years ago the Boers swarmed into Zululand and took some of their best land from the Zulus, who endeavoured to expel the intruders and attacked the Transvaal. We interfered

and advised the Zulus as to the course which they should follow. They accepted our advice, and Commissioners were appointed to investigate the matter. The Commissioners practically decided in favour of the Zulus; but those Boers who had taken possession of land were not to be disturbed, but compensation was to be given to the dispossessed Zulus. The Zulus were naturally discontented, and in consequence of that discontent became involved in war with this country. We conquered them and made Cetewayo prisoner. The late Mr. Forster, who took a great interest in South African affairs, commented in severe terms on the gross breach of faith of which we had been guilty with reference to the Zulus. We had, he feared, lost the confidence of the Natives by our past policy, and he earnestly hoped we should avoid the mistakes which we had committed in the past. If we were to maintain our hold in South Africa, it must be by a different policy from that which we had carried on in the past.

SIR JOHN SWINBURNE (Staffordshire, Lichfield) said, he should like to ask whether it was intended to arm Natives, as was done in the Transvaal under Lord Wolseley, when the employment of one section of Natives to fight another section led to the most frightfula trocities.

DR. CLARK said, with the consent of the House he begged to withdraw his opposition, because the matter could be further debated on another Vote. As he had been misunderstood, he wished to explain that he did not desire a Commission for Zululand, where he thought the General in command, having full control, would be able to settle the matter; but when he suggested a Commission he was speaking generally of South Africa, and not of Zululand in particular.

Question put, and *agreed to*.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.—[BILL 336.]

(*Mr. William Henry Smith, Mr. Secretary Matthews, Mr. Solicitor General.*)

SECOND READING.

Order for Second Reading read.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): Sir, in rising to move the second reading of this Bill I have to state at once that it is not my intention to occupy the time of the House at any length. I look upon it as the preliminary stage of a judicial proceeding, and, therefore, it would be highly undesirable, for me at all events, and I hope the opinion will be shared by other hon. Members, to attempt to give the slightest colour to the circumstances under which we ask the House to accept the second reading of the Bill. The measure is one which has been proposed as an alternative to that asked for by the hon. Member for Cork (Mr. Parnell)—namely, a Committee of this House. I will not again dwell upon the circumstances which induced the Government, and many hon. Members besides, to think that a Committee of this House is wholly unfit to enter into a consideration of the grave charges which are to form the subject of investigation. Apart from other considerations, we are of opinion that the passions excited by debates in this House during the last four or five years render it hardly possible for Members to divest themselves altogether of Party prejudice and feeling, and to enter upon a judicial inquiry of this character in a judicial spirit, and with the perfect calm in which alone they ought to enter upon it. Under all the circumstances it would not be fair to imperil the character and reputation of the House of Commons by asking it to enter upon an inquiry under such conditions. But we admit that circumstances have occurred recently which justify an inquiry into the charges and allegations advanced. Those charges and allegations have been made now in a formal and distinct manner in a Court of Justice, and they have, therefore, advanced from the position they occupied last year into another and a totally different position. We have, therefore, offered to the House and to the hon. Members who are concerned, that a Royal Commission, based upon precedents which exist in the past, when great questions of immense difficulty have presented themselves for investigation and inquiry, based upon the precedent of Sheffield many years ago, and also based upon the precedent of a less important character in regard to the Metropolitan Board of Works—I say, following these precedents, we have offered a Royal Commission which shall have full and complete powers to investigate

all the charges and all the allegations which are contained in what the Lord Chief Justice declared to be a tremendous indictment against hon. Members below the Gangway. The Bill is neither more nor less than an extension in clauses of the Notice on which it was introduced last week; it contains the powers to which I then referred and the authority which I then described, and we consider that with anything less than the powers and authority with which it is proposed to clothe the learned Judges who are to conduct this inquiry, it would fail in justice and in fairness to all the parties who are concerned. We are of opinion that if this inquiry be entered upon it must be a complete and searching inquiry, and must finally dispose of the charges which have been made bearing wholly or partly upon hon. Gentlemen opposite. We do not think we should be acting in common fairness and justice to those Gentlemen accused by or concerned in those charges if we failed to afford them the most full and complete opportunity before a judicial tribunal of entirely clearing their character; and we have confidence that a judicial tribunal such as that we propose to constitute will act with the fairness, with the justice, with the impartiality, with the consideration which all English Judges have exhibited in recent years, and which have entitled the Bench to the respect and esteem of all honest men, no matter what politics they profess. In the course of the debate last year the right hon. Member for Mid Lothian (Mr. W. E. Gladstone) expressed the most complete confidence that every Judge on the Bench would discharge a duty of this character with absolute impartiality. I regret very much that the same confidence has not been extended to an English jury. It is an extraordinary thing that in these days faith and trust are not placed in an English jury in a case of this great importance. If hon. Members will not appeal to an English Court for the justice they desire to receive—I have nothing to do with the motives or the arguments or the reasons which induce hon. Gentlemen below the Gangway, or those who are associated with them opposite me, to decline to submit a case of this character to an English jury; still I feel that such a circumstance is to be most deeply regretted and deplored. The fact remains the same, and we have neither the inclination nor the power to compel them to resort to an English jury—[Mr. PARNELL: Oh, yes, you have.]—but the indisposition to do so will appear to the House and the country as one of the circumstances rendering it expedient that a Commission, rather than the House itself, should be the tribunal to determine questions which have long been a public scandal. It rests with the House to say whether this inquiry shall be as full, as complete, as impartial, as searching, and as final as we desire it shall be. No one will rejoice more than I shall if the result of such inquiry shall be to entirely clear hon. Gentlemen opposite. Under this Commission the Judges will have power to determine what they will regard as the material charges and allegations advanced, and which in other circumstances would be, and are now to be, investigated. I have myself full confidence in the Judges we desire to name on this Commission. We believe they will command public confidence and esteem, and, referring to the observation which has been made, they will command the confidence which has always been felt in English Judges, and when I mention the names to the House I think they will justify the confidence I have expressed. The Lord Chancellor has, Sir, nominated Sir James Hannen as President of the Court, and Mr. Justice Day and Mr. Justice A. L. Smith as the other members of the Court. I have now, Sir, made my statement, and I have endeavoured to avoid making any remark which would distract attention or rouse angry passions or feelings. I do not desire to prejudge the issue—the tremendous issue—before the House and the country, nor do I desire in the slightest degree to say one single word or a single syllable which could be taken to influence the Court. The issues, Sir, are tremendous to the character of the House and those concerned in this great trial—this great inquiry—and I believe that if the House accepts the proposal which I have made the result must be to the advantage of the country, whatever the result or the determination of the case may be. I beg to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. William Henry Smith.*)

MR. PARNELL (Cork): I am glad, Sir, that the right hon. Gentleman the First Lord of the Treasury has seen it expedient to change from the absurd and untenable position which he took up on the last day when this matter was before the House, when he told me that it was a question for me to decide—it was for me and others to decide whether we should accept or reject this Bill. He now takes a more becoming ground for a Minister of the Crown when he says that it now rests with the House to decide. I am glad he has amended his hand in accordance with the advice I took the liberty of giving him on the last occasion. It is well that I should direct the attention of the House very shortly to the history of this question. I originally asked for a Select Committee to inquire into the statements made affecting Members of this House, and into the genuineness and authenticity of the evidence on which the statements were made. The right hon. Gentleman the First Lord of the Treasury, in reply to a Question of mine on the 1st July, couched in these terms, said that he declined to give me a Select Committee to inquire into the genuineness and authenticity of these letters—firstly, on the ground that he considered the issue was too limited and narrow; and, secondly, on the ground that the tribunal I asked for was unfitted for the purpose. But he went on to say—

"We are willing to propose that Parliament should pass a Bill appointing a Commission to inquire into the allegations and charges made against Members of Parliament in the recent action of 'O'Donnell *v.* Walter.'"

The House will observe that the statement of the right hon. Gentleman on the 12th of July was that the inquiry was to be confined to the allegations made against Members of Parliament. In the Notice of Motion which the right hon. Gentleman placed on the Paper two days afterwards—having, in the meantime, received a friendly hint at the Cabinet Council from the counsel for *The Times*—let that statement be denied or not—and having had, perhaps, also the advantage of an interview then or subsequently with Mr. Walter himself—he mends his hand, and extends the inquiry by the addition of "and other persons."

An hon. MEMBER: Why not? What has that got to do with you?

MR. SPEAKER: Order, order!

MR. PARNELL: He now proposes to inquire into the allegations and statements made against Members of Parliament and others in the course of the trial of the recent action of "O'Donnell *v. The Times*." Now, Sir, I will show that this Bill proposes to inquire, not into my conduct, not into the conduct of my Parliamentary Friends, but it proposes to inquire into the conduct of the whole agitation of the Land League in America, in Ireland, and in Great Britain. If you want an inquiry into the Land League, say so. Bring in a Bill for the purpose, and then we shall know what to say to it. It is very odd that, although the Land League sprang into existence 10 years ago, it never occurred to the Government to move for a Commission to inquire into its proceedings until these forgeries—these infamous forgeries—appeared in *The Times*. The right hon. Gentleman said the other day that he had brought this matter forward in order to give us an opportunity of clearing our character, and he repeats that statement to-day. I say that he has not brought it forward in response to my request, or for any purpose of the kind. He has brought it forward for the purpose of casting discredit on a great Irish movement, to endeavour to traduce a people whom you ought now to be fully ashamed and fully tired of traducing, and to contrive a means of escape for his confederates from the breakdown of the charges which he and the hon. and learned Attorney General sitting beside him know full well will break down. We are now told that these letters are only secondary matters, and even if proved up to the hilt, as it will be proved, that each and every one of the letters mentioned the other night are barefaced forgeries, it will not affect the case of *The Times*. You seek now to raise this turgid cloud in order to cover your retreat and the retreat of your confederates, which you know well will soon be forced upon you. I shall show, by reference to the speech of the hon. and learned Attorney General, that these charges and allegations are charges against the Land League, and not against me. The hon. and learned Gentleman made no charges against me until he came to the forged letters. He made four charges, which he supported

by false statements—statements which I shall show to be false charges, which the hon. and learned Attorney General will not venture to repeat when he knows what they are, as he will know after I have done. But these four charges and allegations would not have been charges and allegations but for the false statements put into the mouth of the right hon. Gentleman; so that it comes to this—that the whole case in the speech of the hon. and learned Attorney General for the defence in the recent proceedings breaks down against me personally. It amounts to nothing. It has not the weight of a grain of wheat, not the weight of the chaff belonging to a grain of wheat apart from these forgeries. Yet we are told by the right hon. Gentleman that he is offering this inquiry into allegations made, not against me—leaving the forged letters out of the question—for the purpose of enabling me to clear my character from the most cruel and infamous charges ever made against a public man, and which have been made against me because I am a public man. For I do not suppose that the London *Times* ever would have given £1,000 for these forgeries of this wretched ex-Member of Parliament of whom we hear, if they had not been letters implicating me or seeking to implicate me. But my vindication from these cruel and abominable charges is to be postponed and left to the last. There is first to be an inquiry into every conceivable thing—an inquiry which we cannot see the limits of within less than two or three years, and I am to be put to the expense of finding counsel to conduct this inquiry in Ireland, in America, in France, and wherever the Judges may think it necessary to send a Commission, while if the inquiry went to the point as to these forgeries I know I could demonstrate to conviction within a week that they are forgeries. And that is the fairness of the right hon. Gentleman. This is how he shows himself so anxious to do justice to a Member of this House. He has told us, indeed, that he cannot compel us to go before a jury. Yes; but if he had the courage of his grandmother he would send me before a jury. Now, I say again that the charges and allegations of the hon. and learned Attorney General were made, not against me and my Colleagues, but against the Land League. The hon. and learned Gentleman makes abundant reference to the Land Leage in this pamphlet from *The Times*. Almost every page is studded with them. He tells us at page 54 of the pamphlet that—

"Most grave and serious charges have been made against the Party known as the Parnellite Party. I deny that the plaintiff is justified in saying that nine-tenths of these charges refer to him. They refer to the Land League in Ireland, which was guilty of crime and iniquitous acts."

On page 55 the hon. and learned Attorney General says—

"Why, I will undertake to demonstrate that the alleged libels prior to June 17, 1887, did not refer to the plaintiff or to the 'Constitutional Party,' with whom Mr. Lucy represents Mr. O'Donnell to have been connected, but to the Irish Land League."

On page 56, speaking of Mr. O'Donnell, the hon. and learned Attorney General says—

"He knew that incidents would be put to him received in those journals which would have incriminated the Land League."

Also, lower down on the same page, he says—

"What I say is that Mr. O'Donnell has no right to assert that he ever was a member of the Irish Land League, and that the organization of the Land League under which outrages were incited and committed was one with which he was associated."

Then, on page 64, we find more in the same strain. The hon. and learned Gentleman says—

"Now the letter of Mr. O'Donnell was a very sensible one; but what are we to think of the gentleman who is now posing as an injured man as included in libels upon this very body—the Irish Land League?"

And lower down, on page 64, he says—

"And his (Mr. Ruegg's) client has pretended through his counsel that he is libelled in these attacks upon the League."

On page 65 he says—

"These murders can be traced to no cause whatever except the language used at Land League meetings,"

and so on. I can run through the whole of the pamphlet, and give you dozens of similar extracts to prove my contention still further if necessary; but I do not think that it is necessary that I should do so. It was the Land League against which the indictment was brought by the hon. and learned Attorney General in the recent trial, and it is against the Land

League that you are to issue this Commission of Inquiry, and not against myself. Now, if I refer to the speech of the hon. and learned Gentleman—the greater part of which was absolutely void of foundation and a great deal of the rest of it without sense—it is because the right hon. Gentleman the First Lord of the Treasury referred me to that speech as a substitute for the details which ought to have appeared in this Bill. In that speech there are abundant references to the doings and speeches of other people, many of them most obscure; but there is very little reference to my doings or speeches. I think the hon. and learned Gentleman quotes one of my speeches in America, and this is the head of one of the indictments against me to which the discovery of the forged letters is merely secondary. I think there are four references to me altogether in the statement of the hon. and learned Gentleman outside of the forged letters. He says that I went to America in 1879. This is one of my crimes for which I am to be tried by this Commission, and into the truth of which this Commission is to be appointed to inquire. He says that while I was in America in 1879 I had interviews with Devoy, Ford, and Walsh. The mere fact of my going to America in 1879 would have been too innocent even for the gullibility of a Middlesex jury, and it was too innocent for the hon. and learned Gentleman, so he was obliged to bring in some of the falsehoods to which I shall refer. He was obliged to say that I had interviews with Ford and Walsh. Walsh was the name specially mentioned, because he was the organizer and prime mover in Great Britain of the conspiracy which Carey in his evidence alleged was directed against Mr. Forster's life, and which was known as that of the Invincibles. The hon. and learned Gentleman had seen, I suppose, that while in America I had had an interview with a Father Walsh, who afterwards became treasurer of the Land League in that country, and who is now dead; and it occurred to him—at least to the intellect of the prompter of the right hon. Gentleman—because I do not attribute any personal untruth to him, because those untruths were put into his mouth, and he was guilty, not of want of truth, but merely of want of veracity. He had seen that I had known a Father Walsh in America; but let it be known that Walsh, the Land League organizer, was not in America at the time I was there. He was at his house at Middlesbrough in this country, where he continued to live until 1882, when he left after the time of the revelations of Carey, and went to America. Therefore, he could not be that Walsh that I met in America. The only other Walsh that I remember in America was Father Walsh. But perhaps the hon. and learned Gentleman will explain who was the particular Walsh whose acquaintance condemns me to the suspicion of having been engaged while in America in unlawful and criminal practices. As regards Mr. Patrick Ford, I have never seen him in my life; but if I had seen him, what then? If I had seen him at that time it would not have made me guilty. As a matter of fact, while I was in America, I was anxious to see him, and I went to his office for the purpose of obtaining an interview with him; but he was not at home, and, my time being limited, I was not able to call again. That describes the whole of my connection with Mr. Patrick Ford during my stay in America. It has also been stated that I met John Devoy while I was in America. That is quite true. With Mr. Devoy I had several interviews. He boarded the vessel in which I went to America on her arrival as a reporter of *The New York Herald*. He took me over the office of that paper and other places of interest in New York. I admit to the fullest extent that I held communications with him with regard to political matters; but all these things are open to the fullest scrutiny, and they will be found on scrutiny to be absolutely innocent and colourless in every particular, and destitute of any incitement to bloodshed. So that halo of bloodshed and the lurid aspect which the hon. and learned Gentleman thought to make out of my visit to America, and my meeting with men having the terrible reputations of Devoy, Walsh, and Ford comes to this—that the only one of these three that I saw was Devoy, and our intercourse was certainly of the most harmless and Constitutional character. This is one of the accusations, apart from the forged letters, to which the hon. and learned Gentleman has referred. Then the hon. and learned Gentleman, in his second

indictment, said that I went to Paris in February, 1881, and while there I had interviews with Mr. Egan. It is perfectly true that I went to Paris in February, 1881. I went there to see Mr. Egan, and I not only had interviews with him, but I stopped in the same hotel with him. I not only went to Paris once, but I went there twice. But then the hon. and learned Gentleman goes on to say that in 1881—this is to show how wicked I was when I went to Paris—about the same time Sheridan was going about Ireland disguised as a priest. Will the House credit that the hon. and learned Attorney General was so little informed of the facts of his case that, for the purpose of attaching a guilty complexion to my visits to Paris, he was obliged to antedate Sheridan's journey to Ireland disguised as a priest by fully eight months. Nobody but a person who was conscious that his statements could not be subjected to the test of evidence could have had the unblushing effrontery manifested by the hon. and learned Attorney General at the late trial. Then there is a third point which the hon. and learned Attorney General endeavoured to make against me in the same speech, and that was a speech which I made on the 9th of September, 1880, at Ennis, when I advocated Boycotting. Undoubtedly I did make that speech advocating Boycotting. And then the hon. and learned Gentleman went on to say that I was present at a subsequent meeting in October, at which Mr. Matthew Harris made a speech, and that I did not rebuke him, although I was present. That makes the fourth charge urged against me in the speech of the hon. and learned Attorney General, and these are the whole of the charges that the hon. and learned Gentleman made against me in that statement apart from the forged letters. Then, with regard to my speech advocating Boycotting, it is true that I did so. No doubt I am responsible for having advocated, and perhaps introduced, the practice of Boycotting in Ireland. And the hon. and learned Attorney General claimed against me that, from Boycotting, outrages and murders in some measure resulted. That may be the hon. and learned Attorney General's opinion; but it is not mine. I have never advocated the practice of Boycotting since the passing of the Arrears Act of 1882. Before that time I believe that it was necessary, owing to the helpless and defenceless state of the Irish tenantry — a state to which your Party and the House of Lords contributed by the rejection of the Compensation for Disturbance Bill. I believed that I was justified, under the circumstances, in making that speech and advocating the practice of Boycotting. I admit that is a question that is open to discussion, and that the hon. and learned Gentleman is entitled to his opinion, and I to mine. But I believe that this speech and other speeches of mine, so far from promoting outrages, prevented them. I know well what my thoughts and my intentions were. I know that my view and desire in all my speeches in Ireland during the winter of 1880 and 1881 was to wean those few of the Irish people who had sought refuge in criminal acts and outrages as a means of defence against their oppressors, and to teach them to value Parliamentary methods and the safety of entrance within the gates of the Constitution just then opening, and which now, thank God, are fully opened to them. I believe I have been successful in achieving that object, and that no man lives who can boast that he has brought a nation so soon to an implicit trust in Constitutional and pacific measures as I can boast that I have brought the people of Ireland. Now, with regard to the speech of Mr. Matthew Harris. Here, again, is another example of the slipshod fashion in which the hon. and learned Gentleman got up his speech. He stated that I was present during that speech. Why, I was not present at all. As a matter of fact, I was several hundreds of yards away, sitting in the hotel in Galway; and, as another matter of fact, that speech was not made at Mayo at all. The Government shorthand writer who reported my speech, and who reported Mr. Harris's speech at that meeting, afterwards swore in Court during the State Trials in Dublin that I was not present at that meeting. But all these little facts are too small and too insignificant to be inquired into by the hon. and learned Attorney General in making statements which he knows are not going to be answered. Now, I have dealt with the four charges which the hon. and learned Attorney General made against me in his speech;

but he did not rely upon these merely, but flourished a whole bundle of forged letters in the face of the Court as well. Now, Sir, I have dealt fully with the question of the forged letters on a former occasion in this House. What I have to say, so far as my doings and proceedings go outside the question of these forged letters, is that there is not one single true statement which was then made by the hon. and learned Attorney General, and which is made in the pamphlet called *Parnellism and Crime*, which is not an open and notorious matter, which is not recorded in every public journal of the day as having taken place, and for ascertaining the accuracy of which you require no Commission. They are open and on record, and everybody has his opinion in regard to my acts and utterances. If it was a question of opinion, I grant you the case might be different; but you do not appoint a Commission to inquire into questions of opinion, but into matters of fact. I come, then, to the forged letters. We have had from Mr. Egan recently, as I ventured to predict we should have, the fullest and most complete denial, coupled with absolute evidence of their falsity, that any man could have given with regard to such productions. As to the letter to which my signature was attached—and which is alleged to have been in the handwriting of Mr. Henry Campbell, my private secretary—I have seen during the last few days my late private secretary, Mr. Henry Campbell, who was dangerously ill during the trial, but who, nevertheless, would have taken his place in the witness-box at any risk to his life, in order to refute the calumnies of the hon. and learned Attorney General if the trial had gone on, and he assures me of the fact, of which I was already aware, that the handwriting of the body of the letter bears not the slightest resemblance to his. I wish to ask the hon. and learned Attorney General a simple question—Whether he ever personally himself compared any of Mr. Campbell's admitted handwriting with the handwriting of the forged letters? Did he or did he not? [Sir RICHARD WEBSTER made no sign.] I think that is a fairly plain question to which the hon. and learned Attorney General, if his conscience was easy, might have nodded or shaken his head. I will ask him another question, which he, perhaps, will find more difficult to answer—Did he ever learn from *The Times* the source from which they got those letters before he, the Legal Adviser of the Government, consented to link his fortunes and those of his Party and Government with those infamous productions? If he did not take those precautions, I do not think he will be absolved from the charge of rushing blindfold into accusations of such infamy against his brother Members of this House without that due examination and inquiry which a man in his high and learned position ought to have used. Well, Sir, the object of all this is perfectly plain. It is evident to the Government and to the hon. and learned Gentleman, and to *The Times*, from all their utterances during the last few days, that the case of the forged letters is going to break down, and they want to divert the inquiry of the Royal Commission into other channels. If they have anything to say against me, let them appoint a Commission by all means to inquire into my actions, and I know I shall come out untarnished from their scrutiny. If they have anything to say against the Land League and any reasons why this inquiry should be gone into, although they themselves never proposed it or thought of it during all these long years, let them come down to the House and say, "We think the proceedings of the Land League ought to be investigated, and we propose a Commission;" but I, Sir, will be no party to letting the Government, by a side-wind, under the pretext of investigating my doings, enter into such an inquiry as this, which must undoubtedly extend over a very long period of time. Why, Sir, these four charges that the hon. and learned Attorney General made against me were matters of notoriety. They were known to Lord Carnarvon in 1885, when he sought an interview with me in an empty house in London. They were known to Lord Salisbury a month or two later, when he spoke in his speech at Newport of the Irish Chieftain.

An hon. MEMBER: The Irish Chief.

MR. PARNELL: When he referred to me as the Irish Chief, when he expressed the wish and hope that it might be possible that Ireland might have restored to her some small portion of her lost legislative independence by the adoption of the Colonial model. These

things were all known to the old Tory Party and the Tory Government of 1885, when you deliberately abandoned coercion, asked for no inquiry into the Land League, and said, through the mouth of Lord Carnarvon, that you would try another and a better way in the dealings of England with Ireland. Nothing new has happened from that day to this to create suspicion, or to point any additional charge against me, except the production of these forged letters. I shall call for the production of evidence in support of those charges, and for the production of the forged letters. I call upon the Government to limit the scope of this Commission to what the right hon. Gentleman avowed in his reply to a Question he was going to limit it—namely, to charges and allegations made against myself and other Members of this House. I ask that the Bill shall exclude "other persons," and name specifically any Member of Parliament charged. I ask that the Bill shall provide that the Commission is not only to be one conducted by Judges, but that it shall also be a judicial inquiry. I ask that the Bill shall provide that I and my Parliamentary Colleagues as the persons accused shall have the power at the commencement of the proceedings of opening our case by counsel and conducting it as in a judicial proceeding for libel. If that be not so, the Commission might call any witnesses they pleased, in any order they pleased. They might refuse to call witnesses whom we considered urgent; they might refuse to do many things which would be necessary for the conduct of our case; and this is not provided for in the Bill as it stands. I ask, fourthly, that the Bill shall provide for a definite specification of the charges made against me. I say that if this is not done it would be open to the Commission, under the imputations made in *Parnellism and Crime* and in the statement of the hon. and learned Attorney General, to go into the history of every outrage that has occurred in Ireland, and every speech that has been made by every member of the Land League in England, Ireland, Scotland, and America, before it came to the question of the authenticity of the forged letters. And I ask, finally, that the Bill shall provide for the discovery of documents, &c., before the commencement of the inquiry. It is obvious that it will be of vital importance for us to have facilities for seeing these documents before the Commission commences to sit—not only for seeing them, but for taking photographs of them, and for having them examined by experts; for, according to the statement of the hon. and learned Attorney General, these statements have been in the hands of his experts for weeks and weeks, and we want them to be in the hands of ours. Now, Sir, I think I have made out my case that, in asking the House to adopt this Bill, the Government, under pretext of appointing a Commission to inquire into the conduct of myself and my hon. Friends, is appointing a Commission which will not close its labours until it has inquired into every speech and every outrage that has ever been committed in Ireland or elsewhere, and that this is not a fair way of proceeding. I have shown the absurdity of the case so far as disclosed in *Parnellism and Crime*, and in the speech of the hon. and learned Attorney General in the late proceedings sought to be made against me. I have shown it has no shadow of foundation—that it consists of open and overt acts, of speeches delivered in the full light of publicity, and of proceedings about which there was no shadow of concealment whatever, which were announced in all the newspapers; and I say it is not fair, decent, English—it is, moreover, I believe, cowardly and unjust—to ask us to accept such a measure in response to the claim I make in this House for an investigation into these infamous charges, meaning no more than ordinary justice.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Sir, I have waited till the very last moment before rising in my place, because I must confess that, as on many occasions in life, truth exceeds the bounds of fiction, and passes wholly beyond them, so I can hardly describe the astonishment with which, after listening to the speech of the hon. Member who has just sat down, after listening to the plain and explicit demand which he has made on the Government, and the grave and remarkable allegations that he has made as to the speech of counsel in the case of "O'Donnell *v.* *The Times*," that no answer has been offered. As the right hon. Gentleman the First Lord of the Treasury said that he could not force the

hon. Member for Cork to bring his case before a jury, though the right hon. Gentleman entirely passes over the fact that he might have brought the hon. Member for Cork before a jury, so I may remark that it is out of our power entirely to compel the Government to speak when they find it expedient and politic to keep their mouth closed. The hon. Member for Cork has spoken, as I think, with great power, with some warmth, which was absolutely unavoidable in the circumstances in which he is placed, and with very great plainness, although we perfectly understand the position which he has thought it his duty to assume. It would be entirely inexcusable if I were to imitate the hon. Member for Cork in deviating from the tone of calmness on this subject. There would be no excuse for me. I have to look at it from another point of view, and I think that, rather than allow the House to go to a Division without any further explanation, it has been my duty —acting, as I have the honour to act, in connection with a considerable section of Members of this House—it has been and is my duty to state my view of our position in reference to the proposal now before it. I speak for that section of the House which is one, perhaps, less responsible than any other portion of the House. Because, during the last Session of Parliament, we explained very distinctly our views that by justice, that by policy, that by precedent, that by regard to the jurisdiction uniformly assumed by the House over its own Members in cases where their public character was gravely and even fatally impugned, we were bound to appoint, in the absence of other conclusive evidence, a Select Committee of our own to make this inquiry. I cannot complain that the right hon. Gentleman has delivered his opinion against that method of proceeding; but he will allow me to say that all that has since happened shows me more and more how entirely we were justified—nay, how entirely we were bound—to make the proposal that we then made, and which the majority of this House thought proper to refuse. I pass on from that to show that what we have now to do is to exercise our best judgment upon the vote before us, and take such course as our public duty may appear to dictate. Undoubtedly, I will go so far as to say that any inquiry, however unprecedented, which is likely to attain the object in view, has for me, individually, strong claims upon my assent if I have not power to obtain a better and a more Constitutional inquiry such as I have failed to obtain. Whether or not the inquiry now proposed is to afford the least hope of attaining the end to be pursued depends, I think, upon the answer to be made by Her Majesty's Government—for, after all, they will have to make an answer—depends upon the answer to be given by Her Majesty's Government to requests such as, in his suggestions, if I understand them rightly —such as those which have been made by the hon. Member for Cork. I must refer briefly to one or two observations of the First Lord of the Treasury which I cannot allow to pass uncontested. He says—and it shows the poverty of his case as to precedents—he says he relies on the precedent of the Commission of Inquiry into the allegations against the Metropolitan Board of Works. If the Metropolitan Board were a section of this House—if it were composed of persons whom it was in our power to deal with by a Vote of Censure or of expulsion, I might assume there was some *primâ facie* ground for that case. But the Metropolitan Board is an extraneous Body. It is only by legislation that we can proceed to try the case, and that question is vitally and fundamentally separated from the case before us. Well, then, Sir, the right hon. Gentleman refers to the proceedings of last year, and states that since then the position has been totally altered. How has it been altered? By a speech of counsel, unsupported by a rag of evidence. I have not a word to say against that speech of counsel or respecting it except to say that, as I understand, the duty of counsel is to speak according to the instructions received from the party he represents, and that it is no more than an echo of that party in the case. How, Sir, does that alter the position of the question? I admit that the front has been extended, and that new letters have been produced. They fall into the same category as the letter of last year; but, as to the authority of the speech of the hon. and learned Gentleman, he would laugh if I were to assign the slightest authority as apart from the evidence which he might have to produce, of which I know nothing whatever, and as

to which I say nothing whatever on its merits, but as to which, as non-apparent, I must treat it as non-existent—the speech of the Attorney General stands alone, and it adds nothing whatever in weight, in power, or in authority to the original articles. I shall refer very shortly indeed to what appeared to me to be the points necessary to be mentioned—for, so far as I am concerned, the decision of those points cannot take place before my vote upon the second reading, and they will have to be considered at another stage. The right hon. Gentleman has given us the names of three Judges whom he thinks fit to constitute a tribunal that will, with reference to the personal qualities of those composing it, command the confidence of the House. Well, Sir, before giving my own assent to the entire composition of that tribunal, I am bound to say I must take time for full consideration. I am not prepared at this moment, as at present advised, to meet the assertion of the right hon. Gentleman, with regard to that unqualified confidence, in the manner which I most earnestly desire. I know the fact—that which I have said on former occasions—with respect to the general character of the Bench. It would have been in the power of the right hon. Gentleman to have made a selection which would at once have hushed everybody—nay, rather would have commanded the warmest acclamation. I cannot at this moment say, with respect to the whole of those three names, he has made such a selection. The practical points suggested by the hon. Gentleman the Member for Cork are these. In the first place, he asks that the proceeding shall be a judicial proceeding. I can hardly suppose that that demand of the hon. Member for Cork can have raised any difficulty on the part of the Government. The right hon. Gentleman himself stated fairly and explicitly that this was "the first step in a judicial proceeding." It is our duty to make such reasonable provisions as may at least clearly declare the mind of Parliament in regard to the nature and the limits of the heavy task that it is proposed to lay upon those gentlemen. We are—in the opinion of a very large minority of this House, at least—devolving upon others a responsibility that belongs to ourselves. If we do that, the very least that we can do, in addition, is to make clear to those whom we solicit to undertake our duties what we desire them to do, and to lay down distinctly the limits within which those substitutes are to walk. That is the first demand. The second request that is made is that "other persons" shall be excluded. I own, Sir, I never read words in a draft Bill with greater astonishment than I did the words "other persons" in the Bill now before us. In the original proposition of the right hon. Gentleman there was not the slightest reference to "other persons."

MR. W. H. SMITH: I beg the right hon. Gentleman's pardon. My own impression is that I mentioned "other persons." ["No, no!"] I put it on the Paper on Friday.

MR. W. E. GLADSTONE: Certainly.

MR. W. H. SMITH: But it was certainly always in our minds.

MR. W. E. GLADSTONE: The surprise with which I read the words, when I saw them on the Friday, is the exact measure of my confidence that they were not used before. However, I hardly suppose that it will be seriously believed that we are going to appoint a Commission to inquire into the acts of other persons, subjects of Her Majesty, with regard to whom no definite allegations have been made, and who may include any number of thousands of Her Majesty's subjects. It is impossible for me to take any responsibility with respect to a Bill for the purpose of appointing an inquiry of this kind with reference to other persons who, whatever their deeds may be, ought to be left to the action of the ordinary law. The whole ground for the proceeding, which does not seem to have been understood by the Government, rests in the historical and Constitutional fact that this House assumes—and, in my opinion, rightly assumes—a jurisdiction over the conduct of those who are Members in matters of public duty vitally affecting their capacity to serve the Empire. That is the reason—if there be a reason—for this inquiry, which does not touch the other persons, who would properly come under the ordinary law. I have some confidence that even the majority of this House will hardly be prepared to include those persons within the purview of the Bill. The letters alleged are of a character that evidently, if they proved to be genuine, would require such notice in this House as I will not now stop to

describe. The Members of Parliament who are to be the objects of this inquiry, necessarily one of a penal aspect—I am not bringing that forward as a matter of complaint, but as a matter of fact—are entitled to be pointed out, and are bound to be pointed out, as the objects of the charge. Surely it can hardly be intended that an investigation is to be made against all and sundry persons unnamed. Gentlemen who may apprehend and suppose that they may possibly have a share in these imputations are entitled to claim that they shall be brought out into the light of day, and that the intention to charge them shall be laid before the world; so that there shall be some responsibility in making these terrific charges, and that people shall not be able to recede from them by saying—"It was not you whom I meant, but somebody else whom I have not named." In that case you provide a shelter and refuge for a skulking cowardice of such baseness as no words of mine can adequately describe. Finally, I wish to learn from Her Majesty's Government whether they intend to define the charges that are to be the subject of investigation? It appears to me, as far as I am able to understand, that there are but two. First and foremost come the letters alleged to be forged, letters which the hon. Gentleman the Member for Cork has denounced with an indignation which no honest man could do otherwise than feel. But I assume nothing on the subject, except that they are the head and front of the matter. Everything else is in comparison ancient history; everything else passed the ordeal of our debates from 1880 to 1885; passed the ordeal of the Dissolution of 1885; passed the ordeal of the Tory policy of that memorable Autumn which history will never forget; passed the ordeal of the General Election without raising a single scruple in the minds of those who were then the Ministers of the Crown, and whose duty it was, if they thought there was a case, to make their inquiries and bring these evil deeds to light—I do not speak now of the letters, but of the general charges—and it was only last year that the publication of those letters which appeared in the broadsheet of *The Times* astounded the whole world, which constitute, together with the family of letters which follow, the main charges against the hon. Member for Cork, and which he demands an opportunity of being able to examine and confute. There is that charge of the forgery of the letters, and what other charges are there? As I apprehend, there is the question whether any Member of this House can be found guilty of complicity with crime. I will say nothing upon that subject. It is a charge which I have never made; it is a charge which no Colleague of mine has ever made; but it is a charge which we should not have scrupled to make if we had known or believed that there was any ground for supporting it. With that, I admit, you have nothing to do. I recognize it now simply as a charge. I do not deny, if facts can be produced belonging to the case of the Attorney General tending in the minds of a judicial tribunal to establish complicity with crime against any Member of this House, that that is a legitimate matter for the cognizance of the House, and for the inquiry of this Commission, if this Commission is to sit. I will not now inquire whether it is to be done by words introduced into the Bill in Committee, or by general direction, in the Bill, or by Schedule; I do not enter into that question; but what I do declare in my judgment to be the absolute demand both of policy and of justice is that definite charges, and only definite charges, shall be handled as a matter of legitimate accusation, whether against Members of this House or against any other persons. Now, Sir, the position is very peculiar. I heard the right hon. Gentleman challenged repeatedly by Questions in this House as to his communications with the Attorney General. The right hon. Gentleman said that he would give no answer whatever as to the nature of these communications. I am bound to say that in giving that answer the right hon. Gentleman did no more than fulfil his public duty; but the right hon. Gentleman must see that that does not quite get rid of the whole case, and we who think that he was right in demanding unlimited liberty of private and confidential communication with the Attorney General may still think that a more deplorable error of judgment never was committed than when the Attorney General of the Government—of any Government, but especially, perhaps, of a Government diametrically opposed in politics and

sharply divided by prejudice and feeling from the hon. Member for Cork—undertook the conduct of the case of *The Times*. I do not believe that the Attorney General would make any unfair use of his position. I am making no charge of that kind, but I am speaking of this. I know that, while it was his duty to do everything he could for the defendants in the action, it was likewise his duty to advise Her Majesty's Government with regard to the proceedings we have now before us, and in my opinion these two sets of duty are absolutely incompatible with one another, and may lead us into difficulties and embarrassments of which we have no conception. As far as I am concerned, I think that an inquiry under thoroughly competent and impartial Judges is a method of proceeding which, after the right and true method of proceeding has been refused, is better than none; but that inquiry must, I think, be put into such a shape as shall correspond with the general law and principles of justice. I do not see that the general demand which has been made ought to constitute the slightest difficulty on the part of Her Majesty's Government. I speak in the belief that every one of these requests are requests easy to be complied with—requests to do nothing but to define and clear the road for the Commission, and make certain the attainment of clear and definite issues, which otherwise I hold to be most doubtful. The right hon. Gentleman has not said anything as to the period of passing a Bill of this nature—a Bill open to the objections which lie against the wording of the measure we have before us, and with omissions so strange of what appear to me the first and most essential conditions of securing a thorough and an effective inquiry, and enabling gentlemen who may be charged to sustain the enormous burden to which they must in any case be subject. Without those securities I certainly will have no responsibility whatever. The right hon. Gentleman has not told us to-night what view he takes of the Bill at present, whether it is a measure of legislation to be pressed forward on the ground of public principle, independently of the manner in which it is received, or of the time it may take; nor do I press him for information on that point. I simply describe the course I intend to pursue myself. I have given my opinion that the conditions stated by the hon. Member for Cork appear to me to be fair and true conditions; I might go further, and say that unless they are conceded I think that the country will be driven to the conclusion that the proposal had been made in order that it might be refused.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I do not propose to reply, Mr. Speaker, in much detail to the observations which fell from the hon. Member for Cork, who, as the right hon. Gentleman opposite observed, spoke with considerable warmth. I am not disposed to imitate that warmth. It would not become me to utter a word, either conveying any opinion of my own or the opinion of the Government, with respect to anything which may be the subject matter of the inquiry before the Commission. There is only one matter to which I must allude. The hon. Member said that the Attorney General had linked his Party and the Government with the accusations. To that I must enter a most emphatic contradiction. It is perfectly true that the Attorney General appeared in the case of "O'Donnell *v.* Walter" as counsel for the defendants; but everything that he then said was said solely in his capacity of counsel for the defendants, and did not emanate from him as Attorney General in the slightest degree. It may be right or it may be wrong—it is a matter on which hon. Members are perfectly free to form their own opinions—that the Law Officers of the Government should be allowed to take private practice. But as long as the Law Officers of the Crown are allowed to enter upon private practice it must be obvious to anyone who knows that they are governed by the rules which apply to the Profession of the Law, and that what they say in advocacy of private clients has no more to do with their position as Law Officers of the Crown than any two subjects the most remote from each other. I do most emphatically deny that the Government have, in any sense, made themselves parties to the charges and allegations the investigation of which this Bill is intended to assist. We have never brought any charge against hon. Members of this House, or against persons outside this House. We have

heard with great concern, and with the interest which, of course, anybody must feel on such a subject, the accusations which have been made outside this House and in the public journals. We have listened to the debates which have taken place in this House on this subject, and to the denials—I hope I may say without offence the passionate denials—made from time to time by hon. Members who sit below the Gangway. We have said, and expressed our opinion more than once, that these matters are so grave, so momentous, that in our judgment they ought to be brought to some public test; and it seems to me that the right test—I was going to say the only right test, but that would be too strong an expression—certainly the right test is that which the Courts of Law properly constituted afford to every British subject who is attacked in his reputation, and who meets there with abundant means of justifying himself. But hon. Members below the Gangway have always met that allegation with assertions of this kind—"We cannot trust your British Courts of Justice; we do not trust your British juries." And even the infirm and despised Primrose League is dragged in, and it is said that it may be potent enough to influence one juryman. We have listened to these statements with sorrow and dismay; but it does not become us—we have not attempted to judge those who have declined to appeal to the Courts of Law. That matter has been left undecided until the present moment. What occurred the other day? "O'Donnell *v.* Walter" has revived all the statements which were made in the public Press. May I take this opportunity of saying that I entirely agree with what fell from the right hon. Member for Mid Lothian (Mr. W. E. Gladstone), whom, I think, I am not misrepresenting when I say that he urged that the statements of the Attorney General added nothing to the statements of the clients he represented? But may I take leave to add that there was this circumstance of difference between what had occurred before and what occurred then? Up to that time all that had been alleged against anybody was simply contained in newspaper articles, of which, perhaps, it was not incumbent upon any public authority to take further notice than they might be deemed to deserve. But when these matters were alleged in a Court of Justice—[*Cries of* "By whom?"]—by counsel for one of the parties, I would draw hon. Members' attention to the fact that they were alleged in circumstances which prevented hon. Members opposite from taking the ordinary remedy of an action. The charges were alleged under an absolutely exclusive privilege, because nobody could sue the Attorney General or any counsel-at-law for what he said in a Court of Justice. What he says in a Court of Justice as advocate for one of the parties is absolutely privileged. There was that circumstance of difference—namely, the singular solemnity and the great public notoriety of the circumstances, with all the importance which attaches to the proceedings of a Court of Justice. These statements are repeated in the most emphatic way with the offer of proving the truth of the allegations. That circumstance, in our judgment, did add something to the situation. Not only were the anonymous newspaper charges solemnly repeated in a Court of Justice and offer of proof tendered, but the hon. Member and other persons who were aggrieved and attacked by those statements had no legal remedy. Consequently, although we refused the tribunal asked for by hon. Members opposite, although we refused a Special Committee of this House when this matter was brought forward again, this offer has been made by the Government in order to settle the question which has been raised. Now, what are the questions raised and to be settled by the Commission? The hon. Member for Cork was guilty of a singular inconsistency. The drift of his speech was this. He said that the charges brought against him by the Attorney General had no more weight than the chaff of a single grain of wheat.

MR. PARNELL: Apart from the forged letters.

MR. MATTHEWS: Yes; apart from the forged letters; and the hon. Member said that the charges were charges against the Land League. The conclusion—and I thought it a singular conclusion—at which the hon. Member arrived was that there should be no inquiry into the doings of the Land League, but that we should confine the inquiry into the allegations against him

—[“No!”]—which, with one single exception, he said, had not the weight of the chaff of one single grain of wheat.

Mr. PARNELL: I beg the right hon. Gentleman's pardon—I really said nothing of the sort. My contention is that in causing an inquiry into my proceedings you are inquiring into the proceedings of the Land League. I said if you wish to inquire into the proceedings of the Land League frame your Bill for that purpose.

Mr. MATTHEWS: What we wished to inquire into was the allegations made by counsel for the defence in the action of “O'Donnell *v.* Walter.” We brought no charge—[“Oh!”]—we have brought no accusation even against the Land League. But accusations have been made against them in this action, and it was upon the ground of these accusations that we were appealed to, and accordingly we said we would issue what we considered a fit and proper judicial tribunal to inquire into these allegations made in the course of the action. We do not say that those allegations are levelled exclusively at the hon. Member for Cork, although, of course, he is included among them. These are accusations raising certainly a very large issue, an issue of a most painful kind, which involves complicity with crime beyond a doubt on the part of some persons or other. [*Laughter.*] Do hon. Members wish me to assume the attitude of an accuser? [An hon. Member: It is an innuendo.] I will certainly do nothing of the kind. That is not the attitude which either the Government or I intend to assume. It is you who complain of certain reflections made in the course of certain proceedings, or, if you like to take the original offence, in certain newspaper articles. We assent to an inquiry into those allegations. But the moment the assent is given you turn upon us and say—“You, the Government, must pick out from these allegations what you allege is the substance and meaning of them. We demand that you make specific allegations against A, B, and C, and come forward as their accuser.” That is not the part we have undertaken to play. I have looked into the proceedings of “O'Donnell *v.* Walter” with some care, and if I may be allowed to say so, I agree with the hon. Member for Cork that it is to the Land League, much more than to himself, that those allegations refer. The Land League is in the first rank, and the hon. Member himself is connected with the Land League. Now, let me state to the House the allegations and charges made in the action of “O'Donnell *v.* Walter” in as few words as I can. The allegation is that the Land League first, and in a less degree the National League and the members of it, have used their own organization for the purpose of intimidation, outrage, and crime. That, I understand, is the one main charge brought in what the Lord Chief Justice called “this great indictment.” There is a second charge formulated in these words—

> “That the Land League, the National League, and the members thereof have allied themselves with the perpetrators and with the contrivers of intimidation and crime, and have availed themselves of their help in order to further their own peculiar ends.”

If I may paraphrase those two charges, they are charges that what has been called a Constitutional movement and a Parliamentary agitation does not stand by itself, but that it leans upon, and has been assisted by, a concurrent system of terrorism, outrage, and crime, and not that crime dogged the steps of a Constitutional movement, but that the leaders and managers of that movement encouraged intimidation and crime. I understand that to be the grave indictment, and undoubtedly it is very grave. It is an indictment which touches so closely political subjects and political passions that, for our parts, we thought that a Committee of this House was the last tribunal to try it. We, who have been engaged in conflict very often with the members of the League that was incriminated, and our supporters were disqualified from our hostility upon other points and other matters; while, on the other hand, hon. Members opposite were disqualified from sympathy and association in a common political struggle. On those grounds we refused to grant a Committee of this House as a means of inquiry into this indictment, which, though not a political indictment, touches the very verge of political questions. If the two things are incapable of being distinguished, why did not hon. and right hon. Gentlemen opposite in Parliament last year ask us to grant a Committee of Inquiry? To mix the two subjects of Party politics and crime does

not depend upon the tribunal which is to try the charges. Whether there is a Special Committee or a Commission of Judges, that dangerous proximity to political questions which I agree exists in the case of this indictment against the Land League would have existed with far greater peril to the mere sailing skiff of the Committee than to the solid steamship of the Judicial Commission. A Committee would practically have gone astray and been wrecked on these rocks, which we hope a Commission would keep clear of. These are the allegations which I find in the case of "O'Donnell *v.* Walter." I agree with the hon. Member for Cork that it is mainly against the League, and against himself as connected with the League, that these allegations are made; and it seems to me that it would be childish for the Government to say that this indictment having been made, and having been repeated in a Court of Justice—having been challenged and taken up by a political Party, having been passionately denied in the House—that we were, forsooth, to take it up and direct a Commission to inquire into it, and to leave out the main items and substance of the charge. Of course, as regards the hon. Member for Cork, and suggestions either of knowledge or complicity on his part respecting certain lamentable events, about which I will make no further comment, the letters, as pieces of evidence, are most important; and I quite agree that he is, on every principle of fairness and right, entitled to make good every case he has in the strongest and the most emphatic way against them and at the earliest opportunity.

MR. PARNELL They are the only evidence.

MR. MATTHEWS: So be it. If that is the only thing he has to deal with, his part in the inquiry will be a short and an easy one. But, after all, these letters are only evidence in support of one part of one of the allegations made in the case of "O'Donnell *v.* Walter." I can see no difference between a letter that shows either complicity or sympathy with outrage and crime, and a speech or an article in a newspaper, or acts done which show similar complicity or sympathy. Now, it cannot be said that the issues I have endeavoured to present to the House are not definite issues. The reference in this Bill is perfectly definite and precise as to persons who are charged. The right hon. Gentleman the Member for Mid Lothian requires that before he can assent to this Bill we should define the charges. Well, I am not quite sure what is meant by that. Either the charges are in the proceedings of "O'Donnell *v.* Walter," and in the articles on *Parnellism and Crime*, or they are not. If the charges are not there, they are not referred to the Commission. If they are there, why do you require somebody who has not made the charges to define them more closely? On the part of the Government, I refuse to assume the office of interpreter, enforcer, or explainer of the charges. They are there. They have been before hon. Members for many months, and they have thought it worth while to make them the subject of applications for a Special Committee to inquire into them; and, therefore, I suppose they knew what they were. Now, when a judicial tribunal is offered to them—which I, at least, hope will be accepted by the great majority of the House as an impartial tribunal—the right hon. Gentleman the Member for Mid Lothian turns on us and demands that the charges shall be put into a more definite shape. It is quite right and proper, when your object is to punish a man for a specific act committed on a given day, that you should tie up his accuser by narrow and technical rules of criminal proceedings, in which time, place, and circumstance are mentioned. When, however, your object is not to inflict punishment, but to discover the truth, this specific definition of charges becomes——. Well, I said I would avoid any words savouring of passion, and therefore I retract the observation I was just going to make. It appears to me that, in showing a desire for a strict observance of the technical rules in a criminal pleading, hon. Members lay themselves open to the suspicion that they wish to evade inquiry into what is really material and substantial. What is the meaning of this demand for a specific enumeration of the charges? Observe that you have never done so when you thought the occasion deserved the statutory institution of a Commission of this kind. Such a Commission has never been used as an instrument for the prosecution of

people, and that is why you cover it with indemnity. You use it as the instrument for discovering the truth on an occasion of such great public importance as to warrant the creation of an extraordinary tribunal of this sort. Why is it that you shut the door against punishment, and against all those consequences which are the root and foundation of all that is precise and accurate in your Criminal Law? It is because you want to discover the truth of the matter. You did so in both the precedents which have been referred to in the course of this debate. You did so in the case of the Metropolitan Board of Works. ["Oh!"] Oh, I know it is less important, less grave, but still it was also important to the Metropolitan Board to know of what they were accused, and the reference in the Bill was to investigate and report into the workings of the Metropolitan Board of Works and the irregularities which are alleged to have taken place in connection with it. There no definition whatever is laid down; the Commissioners are left perfectly at large. Take the precedent of the Sheffield rattening case, which is one more to the point. There had been a series of outrages committed at Sheffield, and criminal proceedings had proved abortive. The public mind was exercised. Then, as now, accusations were levelled, not so much against individuals as against an organization. It was said that the Trade Union was responsible for the outrages, and members of the Trade Union strongly resented those accusations, and came to this House and demanded an inquiry, which, after a good deal of hesitation, was granted. The inquiry was like the present, a judicial inquiry, and the Reference was in the largest possible terms—

"The Commission shall inquire into any acts of intimidation, outrage, or wrong"—

the word "wrong" was inserted after debate in the House—

"alleged to have been promoted, encouraged, or connived at by Trade Unions or Associations, whether workmen or employers, in the town of Sheffield or in the immediate neighbourhood, and as to the cause of such acts, and the complicity therein of such Trade Unions or Associations."

At that time no political Party was specially interested in this matter, and there was no outcry as to the injustice, unfairness, and iniquity of leading a general inquiry into acts "alleged" by anybody in the world against these Trade Unions or Associations. That Commission, like the present one, was not to discover crime in order to punish it, but to ascertain, as far as possible, the whole truth about the grievances, outrages, and scandals which had moved the public mind. Therefore, when the right hon. Gentleman calls upon us to specify the charges in question in a definite way, I take leave to submit that both reason and precedent are against him. I again must repeat that this extreme anxiety to tie the hand of the Commission whom you trust—and I agree that if you cannot trust your Commission it had better not be appointed at all—and to prevent them from following up any evidence which appears to them to be material and within the four corners of the document—savours very strongly indeed—and I think the public mind would so regard it—of a desire to hamper and to embarrass the Commission. For my part, as far as I am entitled to speak for the Government, all I can say is that we shrink, and not only shrink, we decline to assent to any limitation that will have that ugly aspect. Another point which the right hon. Gentleman very strongly made was that the Government ought to confine the case to the charges and allegations as they affected Members of Parliament. Against that demand I must enter my emphatic dissent and protest. I deny absolutely that any different treatment in this matter should be meted out to Members of Parliament than to other persons. As I read these accusations, they strike even more heavily at persons of distinction who are not Members of Parliament. The Lord Chief Justice, in his summing up, used language which struck me very much when he spoke of a great variety of persons who were deeply incriminated by the charges, Members of Parliament and those who were not Members of Parliament, and who are well known to the world as prominent men. I do ask, on every principle of fairness and justice, are you to say, We give you both the benefit and the risk of this inquiry, for there is the benefit of the accused persons clearing themselves successfully from allegations made against them, and there is the risk that some charges

may be considered by the tribunal to be established? [Mr. T. P. O'CONNOR: Not the smallest.] As the hon. Member pleases; but in every inquiry of this sort there is that benefit and that risk. But is that benefit and risk to be confined to Members of Parliament? Do hon. Members suppose that this inquiry is of our own seeking? Certainly not. It is offered in response to their own insistance and their own pressure. Inasmuch as we accede to the demands and pressure of hon. Members below the Gangway opposite, while telling them that, in our opinion, their remedy is elsewhere, are we to leave out in the cold those who have not the opportunity of coming to this House and making applications to us, but who are equally implicated, whose characters are equally valuable to them, and whose guilt, if there be guilt, it is equally important to the public and the country to know? I assert that this inquiry would be a mockery and a farce if you tried to strike out the words "other persons." Why, the whole substance and force of the allegations which are made is this—that certain persons, members of the League, some of them Members of Parliament and some not, have, as I have said, been brought into complicity, connivance, association with crime and criminals, and into making use of the fruits and results of crime. That is the charge, and how is it possible to investigate that charge at all if you leave out the actions of other persons? I am reluctant to mention names, but there is a gentleman named Egan whose name figures largely in these proceedings. Of Mr. Egan I know nothing. I know that the right hon. Member for West Belfast (Mr. Sexton) has asserted of him that he is a most respectable citizen of Dublin; but I am aware that in the recent proceedings it has been stated that he used Sheridan as a go-between between himself and the outrage-mongers in the West; that he was charged with knowing about the Invincibles; that he declined to say whether the funds of the Land League, of which he was treasurer, were used to promote the dynamite explosion at the office of the Local Government Board; that he removed books and papers which would have thrown considerable light on the proceedings of the association; that it is suggested he left England as soon as the evidence of Carey was given because he thought it safer to be abroad; and that he is alleged to have organized a "martyrs' fund" for the Phœnix Park murderers. If all these things are true, the description of the right hon. Member for West Belfast would be totally inapplicable. How is this inquiry to be conducted unless you first ascertain whether Egan is a most respectable citizen of Dublin? This person was in close connection with leading members of the Land League. Will anybody suggest that this inquiry into the charges and allegations made should be held without inquiring into what Egan may have done? Then there is the name of Mr. Byrne. Here, again, I do not pretend to the slightest knowledge of Mr. Byrne; but I cannot imagine any Commission conducting this inquiry without first ascertaining whether or not Byrne did write a letter which I find it stated he did write, in which he advocates "the torch, the knife, and dynamite." Is it true he kept certain knives which were used upon a memorable and tragic occasion for days in Palace Chambers in a room which I need not further describe? Are these things true or not? If true, to what extent were they known by those with whom he daily associated and whose servant he was? Those are the two stages of the inquiry. Mr. Byrne is not a Member of this House, and is the Commission not to inquire into his case? I might mention Mr. Patrick Ford—[The ATTORNEY GENERAL (Sir Richard Webster): Sheridan.]—and Sheridan. This inquiry will be a ludicrous farce unless the relations of Patrick Ford with hon. Gentlemen opposite are to be investigated. I will not multiply examples. What do hon. Members opposite wish? Do not let them suppose that I am expressing my own opinion of their conduct when I say that the suggestion in these papers is that they who call themselves Leaders of the Irish Constitutional Party are in the closest alliance every day with the band who are by every means in their power inciting to outrages of every kind, the use of dynamite and war to the knife with this country. The hon. Member for Cork says that he failed to see a certain person in New York—that is what it will be the business of the Commission to inquire into. The hon. Member is not the only person attacked in these papers. To my mind this is

one of the gravest charges that ever was preferred against a body of men, and it is one in which the public have a deep interest—it is that a Party professing to be a Constitutional Party are really in the closest alliance with men who are organizing outrages and murder, who are collecting the money to be expended in the furtherance of outrages and murder. The question into which the Commission will have to inquire is—Is that charge well founded, or is it not well founded? This, it is said, is the point that ought to be omitted from the inquiry; but in the public interest and your own it cannot be so. To me it appears to be the cardinal point of the whole case. Are hon. Members opposite content to sit down under a charge of that kind? Are they content to be ranged on a common platform with men of the character which I have indicated? Is the suggestion that your movements in connection with the Clan-na-Gael are not to be inquired into—is that to remain uninvestigated?

MR. T. P. O'CONNOR (Liverpool, Scotland): No; certainly not.

MR. MATTHEWS: I am very glad to hear it. I am rejoiced to find that your alleged connection with the Clan-na-Gael is a subject which you do not fear to have investigated?

MR. T. P. O'CONNOR: The hon. Member for Cork said so.

MR. MATTHEWS: Then the members of the Clan-na-Gael are the "other persons" whom it is now proposed to exclude from the scope of the present inquiry. If you strike out those words, you will reduce the inquiry, so far as the Clan-na-Gael is concerned, to a farce. I maintain that the charges to which I have referred are not of common knowledge—they are charges which demand inquiry and proof on either side for the satisfaction of the country and the House. Upon some other matters I shall waste very few words. I rejoice to hear the hon. Member for Cork demand that the proceedings of this Commission shall be of a judicial character, which shows that he appreciates the value of the rules of procedure of our Courts. Undoubtedly the Judges who will sit upon this Commission will give, as they are accustomed to do, every facility to those who are before them to appear by counsel, who will make speeches on their behalf, who will examine and cross-examine the witnesses, and I am sure that that part of the hon. Member's demand will be readily granted. But the right hon. Member for Mid Lothian, as I understood him, desires that we should confine the inquiries of the Commission to the question of the authenticity of certain letters, which he maintained were the head and front of the offences, while the rest of the charges contained in these papers were ancient history. These sneers of the right hon. Gentleman at outrages and crimes which are barely seven years old seem to me to be misplaced. The right hon. Gentleman said that this ancient history of outrages and crimes having passed the ordeal of a General Election in 1885, and of a Dissolution and of the formation of a new Government, had disappeared from view for ever. But if that was the case, why had the right hon. Gentleman in April of last year, in tones of passion, demanded the very inquiry which was now offered? In April of last year the charges of *Parnellism and Crime* were before the public, while the letters which were produced at the recent trial were not before the public. [*Cries of* "They were."] Not in April of last year. I am referring to the arguments of the right hon. Member for Mid Lothian, who has not done us the favour to remain in the House during the rest of this debate. The right hon. Gentleman said that to go into anything behind the letters was to go into ancient history which had been whitewashed by the General Election. But the right hon. Gentleman did not regard the facts behind those letters as ancient history last year when he demanded an inquiry into them. It would almost seem as though the right hon. Gentleman wished to make it appear that the Government desired to make it impossible to accept their offer. There can be no doubt that the fact that these charges were reproduced before a Court of Justice in the case of "O'Donnell *v.* Walter" gives them additipnal solemnity. Charges brought forward in that case include not only hon. Members of this House, but others far below them in social position; and it is into the deeds and misdeeds, into the merits and demerits, of such persons that this Commission is to inquire. Unless the inquiry were to be far-reaching, thorough, and complete,

it would be useless for the Government to undertake it. Unless the inquiry were to be of that character this great dispute can never be satisfactorily settled; and if the action of the Commissioners is to be hampered and crippled by technical restrictions, as is proposed by this Motion, it will be impossible to get at the whole truth.

SIR CHARLES RUSSELL (Hackney, S.): The right hon. Gentleman the Secretary of State for the Home Department has made a very remarkable speech, which has been characterized by his usual ability—a speech which certainly would not have given any casual visitor to this House any idea of the subject which we are debating. If an intelligent visitor had entered this House and had listened to the speech of the right hon. Gentleman, he would have come to the conclusion that the Bill was one to inquire into every crime and into every outrage that had occurred in Ireland during the last 10 years, during a time of great political and social excitement, instead of being a Bill put forward by a Government as a means of giving to a number of hon. Members of this House an opportunity of meeting charges which had been brought against them. The right hon. Gentleman has made some very extraordinary statements. We are pressing to have the specification of the charges which those hon. Gentlemen are called upon to meet, and we are met by the right hon. Gentleman, who makes the startling statement that while the meanest criminal in the country is entitled to a specification of his alleged crime, he is only so entitled because there is a punishment attached to his offence; but that in this case, although the charges made against hon. Members would, if established, be followed by blasted reputation and might involve death to their political hopes, they are not to have a specification of their offences because, forsooth, in consequence of there being a provision for indemnity under the Bill, their offences will entail no punishment, and, therefore, they are not to receive that protection to which the meanest criminal is entitled! The speech of the right hon. Gentleman makes it necessary for me to recall the circumstances in which this proposition of the Government was made. It will be recollected that last year an hon. Member brought before the House the fact that in an article which appeared in *The Times* serious imputations were made against the hon. Gentleman the Member for East Mayo (Mr. Dillon), and that those imputations should be made a matter of Privilege. That hon. Gentleman asked this House to appoint a Committee to inquire into those allegations. Among other objections which were urged to the appointment of a Committee, it was said that the issues raised would be too narrow and confined; and, in answer to the objection made, my right hon. Friend the Member for Newcastle-upon-Tyne (Mr. John Morley), with the authority of hon. Members below the Gangway, expressed the readiness of this hon. Member to meet any specific charge to be preferred before that Committee, whether it was contained in the particular article of the newspaper or not, provided always it was described and defined. That was refused. Why? Because it was said that so strong was political feeling in this House that a Committee could not be trusted to do anything like justice to the hon. Member for East Mayo and his Colleagues. And yet the right hon. Gentleman the Leader of the House (Mr. W. H. Smith) to-night got up and, in tones of mournful lament, exclaimed against the fact that faith in juries was a thing of the past. Are juries free from strong political prejudice? Is it to be said that juries can discharge an effort of self-control in the conscientious discharge of duty to which hon. Members of this House are not equal? The right hon. Gentleman seems to forget, when he speaks of that failing of faith in juries, that he and his Administration have shown very little faith in juries, and have practically in Ireland put an end, for a time at least, to that institution, which the right hon. Gentleman on this occasion and in this connection appears so much to cherish. That matter was then disposed of. It comes up again in the late trial. Let me remind the House of the circumstances of that late trial. I shall not make any comments on that trial, or the course it took. A gentleman institutes an action for libel against *The Times*, and *The Times*, in effect, says—"We did not mean to libel you; you are not worth libelling; you are an inferior personage to whom the matters complained

of do not apply;" and the plaintiff, having proved the libel, left his case in that condition for the time. What followed? I am bound to call attention to what followed, because it has been said that additional sanction and additional weight are given to those charges, because they were solemnly made under the sanction of a judicial trial and by an officer of the Crown. What was the state of the case? At the end of the plaintiff's case, those who were representing *The Times* knew that their case was that nineteen-twentieth parts of the charges did not apply to Mr. O'Donnell. They did not submit that to the Judge. They did not even confine the address which they made to the jury to the parts of the libels which were said to be in question. What they did was this—I am merely stating the facts; let the House draw its own conclusion. They took that opportunity of restating and republishing in the form of a report of a judicial proceeding, with added emphasis and with added force and evidence to be given, and particularly with the addition of alleged forged documents, the whole indictment against the Leader of the Irish Party and against the Colleagues of that hon. Member. Then, having occupied nearly three days in that course, the concluding portion of that address was an appeal almost to the learned Judge, out of fairness, forsooth, to the Irish Members, that they might not be called upon to enter upon proof in circumstances so unfair and so disadvantageous to the Irish Party at that stage! The matter then comes again before Parliament. A statement is made by the hon. Member for Cork (Mr. Parnell) and by Colleagues of his on the subject of those letters. Again the request is preferred for an inquiry in this House. The hon. Member for Cork, at least, has shown more faith in Members of this House who sit opposite to him than the right hon. Gentleman the Leader of the House, for, although he knew that the majority of that Committee must necessarily by the ordinary rules be a majority of his political opponents, he was not averse to trusting himself to the honour of those political opponents. "No," the right hon. Gentleman repeated, "go into a Court of Law; bring an action for libel." I will say, with all deliberation, having some experience of actions of libel, that I would infinitely prefer, with all its difficulties and with all its attendant disadvantages, which are great in such a case, an action for libel before the most bigoted and partizan jury in the City of London, than a tribunal constituted in the vague and unfair and on the disadvantageous terms that are found in this Bill. Now, what are the charges? It is necessary that I should say a word or two upon this, in order that the House may understand what justification I have for this, I admit, sweeping criticism of this Bill. I read the charges last week for the first time. I read *Parnellism and Crime*, and I read the report of the trial of "O'Donnell *v.* Walter," which consisted in by far the greater part of the unproved speech of the learned leading counsel for *The Times*. Those charges I make out to be these in substance. First, that the Land League, of which certain Irish Members were members, had been guilty of encouraging or being parties to Boycotting, of speeches which were incitements to intimidation, and so to the causing of crime; that the managers of the Land League—those most prominent in Irish political movements—had been in association with Patrick Ford, and had obtained moneys for their purposes in Ireland largely contributed through his instrumentality. Upon what, in great part, rest those allegations? We have the best authority for the proof of the foundation on which they rest, for I find in *The Times* the other day that they were apparently a little in doubt as to the authenticity of the alleged letters. On the 13th of July *The Times* wrote thus—

> "We are prepared with our proofs of the genuineness and authenticity of the letters read by Sir Richard Webster, but we have never professed to treat it as more than secondary evidence in support of what we hold to be an overwhelming case"—

how proved?—

> "proved mainly by the speeches and by the writings of the men whom we have denounced."

Are those speeches and those writings secret matters? Does it need a Special Commission to catalogue the speeches of members of the Land League, prominent and obscure, in its thousand branches throughout Ireland, or the speeches of those who are supposed to be in sym-

pathy with them on the other side of the Atlantic? It would be ridiculous, so far as this part of the case is concerned. The point rests not in dispute about facts so much as the inference to be drawn from the facts; and are you to appoint a Commission of Judges who are not to elicit facts, but who are to draw conclusions as regards particular circumstances, some of which happened nearly 10 years ago, instead of leaving the country, as has already been done, to draw its own conclusions from premisses which on this part of the case are open and notorious? The right hon. Gentleman the Leader of the House spoke on this matter as if those writings in *The Times* were a new revelation. Has the right hon. Gentleman never read *The Truth about the Land League*, by "One Who Knows?" I think the name of Mr. Arnold Forster appears in connection with it; and has he never read *The American Irish* and *Parnellism Unveiled* by a Mr. Bagenal? These things have been said again and again—nay, more, so far as their main pith, point, and substance are concerned, they were contained in a remarkable speech delivered by the late Mr. Forster in an attack which he made in this House on the hon. Member for Cork. Then, I want to know, is it to be confessed in this House that what is wanted by this Commission is not to endeavour to fix criminality, criminal complicity, on specific individuals in relation to crime, but under the guise of a Judicial Commission to present afresh to the country the occurrences—the hideous, hateful, and condemnable occurrences—many of which, in times of great political excitement and great social pressure, occurred over a space of 10 years in Ireland? That may or may not be a justifiable object, but if it be the object declare and announce it. But do not be guilty of the hollow and deceptive conduct of making specious offers of treating your honourable opponents as if you were conferring a favour upon them. State in downright language what it is you mean. The right hon. Gentleman the Secretary of State for the Home Department said that principle and precedent were in favour of the course which the Government had taken. I say there is no precedent for such a course. The Sheffield and the Metropolitan Board of Works cases were mentioned; but in neither of those cases were definite persons charged, nor was the matter of those inquiries in any way under the control of this House, except in so far as this House is part of the Legislature which brings them under control by Act of Parliament. But the right hon. Gentleman the Home Secretary seems to me to have entirely lost sight of the only ground on which this inquiry can be justified as it was offered, and with reference to the object with which it was offered. It is that this House, anxious for the reputation of its Members, anxious in the interests of its Members and its own character and dignity, desires to give an opportunity to the Members implicated of meeting specifically the charges made against them. But will that be effected by this Bill? I will endeavour to show that the plan of the Government, carried out on the lines of this Bill, would not only be unfair, but would be positively unworkable, and might be interminable. The right hon. Gentleman the Home Secretary says that there is a specification of the "other persons," because those other persons are named in the proceedings of "O'Donnell *v.* Walter." Let me illustrate my objection to this. Supposing in the course of the inquiry an allegation is made by a witness in which he mentions as accomplices or accessories, before or after the fact, certain named persons—is the Commission not to inquire into the history of that, and not to follow it up? According to the Bill it would seem they must. And is not the person whose name is introduced, although not even mentioned in the proceedings of "O'Donnell *v.* Walter," to have an opportunity of appearing before the Commission? Of course, he must have that opportunity; and once you make this groping inquiry there is no possible limit to the number of persons who may be entitled, according to the principles of common justice, to come before the Commission and be heard in explanation or defence. But the cardinal point is this—that the inquiry should be a judicial inquiry in the real sense of the word. Make your general inquiries as wide as you please, but as regards the allegations against Members let the charge be specified, and the inquiry into them judicial. Now, I understand the right hon. Gentleman the Home Secretary to have made a concession on that point. I wish clearly to understand what it is. What does he mean by a "judicial inquiry?" Does

he mean simply an inquiry in which all the inquirers are to be Judges, and is the whole matter at large to be left to them? I wish for an answer.

MR. MATTHEWS: Answering the demand of the hon. Member for Cork, who said—"We demand that we shall be treated as though we were plaintiffs in an action for libel with counsel to open our case and reply." That is the judicial feature.

SIR CHARLES RUSSELL: That is not an answer to my question. I will indicate what I mean, because I think it is all important that the matter should be cleared up in view of the misleading references to the precedents of Sheffield and the Metropolitan Board of Works. Does he mean that this is to be an inquiry conducted according to the rules of legal evidence? I want an answer. I await an answer. A nod of the head will be sufficient.

MR. MATTHEWS: No; I will not answer in that way.

SIR CHARLES RUSSELL: I ask, is this or is this not to be—[*Cries of* "Order!"]—an inquiry conducted according to the rules of legal evidence? Surely at this stage of the argument we are entitled to know whether the Government have made up their minds. Let us know; is it to be an inquiry conducted according to the rules of legal evidence? [*Cries of* "Order!"] I think I have a right to ask that and to claim an answer. If it is to be an inquiry according to the rules of legal evidence, then the charges against the hon. Member for Cork must be dealt with only upon evidence which, according to the rules of evidence, in all fairness, is evidence against him. There cannot be brought into the inquiry the loose and gossiping statements which may introduce his name, but which may affect other persons and not the hon. Member directly. This is of the marrow of the question. And when the precedents of Sheffield and the Board of Works are referred to, just let me point out the possible injustice which may result if they are followed. What the Commissions did in these cases was this. They had certain persons before them, and announced that they would take control in the case, and call witnesses; that if the parties required witnesses to be called they would take the statement of their evidence and consider whether they would or would not call them; and that having put such questions as to them seemed right, they might allow counsel for any of the parties to supplement the examination or cross-examination. Is that the course intended? While that is a perfectly intelligent course if the Commission is to be a searching, roving, and, so to speak, impersonal Commission, it is utterly inapplicable, unjust, and unfair if it is meant to be applied to a case in which imputations of a grave character are made on specific persons, your Colleagues in this House. If, therefore, it is to be a judicial inquiry and according to the rules, the judicial rules of legal evidence, then the case of each man who is charged with any specific offence which you can pick out of *Parnellism and Crime* or out of the report of "O'Donnell *v.* Walter" has the right to have his case tried on its merits and according to the rules of evidence, which experience has shown to be necessary for the protection of character and the defence of liberty. I must call attention to the fact that the Bill refers to persons "implicated," not to persons against whom the allegations or charges are really made, but to persons implicated in the charges and allegations, and these persons have a right to appear before the Commission by counsel. Then I want to know what are the limits and bounds in point of time and in point of expense to the Commission? And are all these persons to bear the enormous expense, to say nothing of the worry and burden, of attending the inquiry? One of the charges made in the speech of the learned Counsel who led for *The Times* was in relation to the disturbances that had occurred in the neighbourhood of Loughrea from the years 1880 to 1882. The learned Counsel said that in that period of three years there had occurred a certain number of murders and outrages in the district; and the statement was that these murders and outrages could be traced to no cause whatever except the language used at Land League meetings. What does that mean? It means, if formulated, that certain persons whose names are to be found in the speech of the learned Counsel made speeches in which they used language which formed the true cause of the murders and outrages in question. How are the Commissioners

to inquire into that? Are they to inquire into the state of the district, the conduct of the landlords towards their tenants, whether there were circumstances of great social depression, whether there were evicting landlords, and whether the landlords were making fair abatements? If they cannot do that they cannot exhaust the inquiry into the charges. But there is a broader object. Was ever a Commission set up for the purpose of asking learned Commissioners to draw an inference of crime from certain speeches delivered all over the country? Was there ever a Commission with such functions as this Bill proposed to confer? The learned Counsel referred to the County Kerry which has been in a very disturbed state, and in which, unhappily, there has been considerable crime. As far as we can learn this is the county in which the Land League had less hold than in any other part of Ireland. But here, again, the same inference was drawn by the counsel for *The Times*. Is the Commission to go into the history of these outrages, and report on the various circumstances which might or might not have caused or led to these crimes? I say you are asking your Commission to discharge a task never attempted by any Commission before, and which would prove quite unworkable, besides possibly resulting in the greatest unfairness to particular individuals against whom charges are levelled. We have suggested that, so far as the Members of this House are concerned, there should be a distinct specification of the charges and of the names of the persons against whom charges are made. The only concession we have so far obtained is that the persons implicated are to have similar rights as they would have in an action for libel. This is not to be found in the Bill, and the Bill will therefore have to be altered in this respect at all events, unless you intend to leave it to the Commission. Reference has been made the Sheffield Commission, and to the Metropolitan Board of Works Commission; but both these Commissions had power to call what witnesses they pleased and in what order they pleased, and, in fact, absolutely not only to control, but to conduct the inquiry. Of course, in that case there were no specific charges against specific individuals. These are some of the reasons why this Bill ought not to be allowed to pass in its present shape. You cannot, you do not, believe in those charges yourselves, or you would not act as you are acting. The right hon. Gentleman the Home Secretary made a speech full of graceful phrases—a speech dictated apparently by a desire to spare everybody's feelings. But you cannot forget—you must not be allowed to forget—that you are supposed to be giving to Colleagues of your own an alternative to an action for libel, and you are bound to observe an attitude of mind anxious to see those imputations removed from certain Members of this House. The country does not expect, did not expect, that when the hon. Member for Cork asked for an opportunity of vindicating himself that you would make him this offer of a Commission to inquire into the doings and sayings of Mr. Patrick Egan and Mr. Ford in America and of Sheridan at some remote period. What the country expected was that an inquiry would be held in which an attempt would be made to bring home against certain Members below the Gangway in this House criminal complicity with crime—not by means of speeches made at Land League meetings or other political meetings, but complicity such as would be recognized in a Court of Law. If you leave the Bill in its present state you will convey to a large portion of the country the impression that your object is not to secure a fair and legitimate inquiry, but to create a Commission which under the spurious form of a Judicial Commission will be a convenient vehicle for throwing dirt on your political opponents, and, in trying to bring home guilt to them, to discredit the Nationalist Party of Ireland. It has, indeed, been said that one of the great objects gained if this Commission went on would be to ruin the Irish Question, as if the Irish Question depended upon a handful of men. You speak of these men as if they were the people who created the political agitation, whereas the fact is that it is the political agitation, the social revolution, that has been going on in Ireland that has created them, and thrown them—it may be for a time—to the surface. The history of revolutions in all time and in every land teaches this. Believe me, the country will not be satisfied with any mode of inquiry which does not afford a fair and legitimate opportunity to those hon. Gentlemen for the vindication of their characters, and which does not give them, at least, the same opportunity

of meeting specific charges and under the same protection that they would have in a Court of Justice.

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth): The hon. and learned Member (Sir Charles Russell) has concluded his speech with a somewhat perplexing peroration, in the course of which he has spoken in terms of no great respect of hon. Members sitting below the Gangway, whose conduct Her Majesty's Government propose to have investigated before a judicial tribunal. He says that it is a proposal from the Conservative side of the House intended for the purpose of "ruining the Irish Question." How you ruin a question I do not quite know, but I can understand how you may ruin a Party, and I noticed in the course of the hon. and learned Member's observations that he spoke as if he were looking forward to the result of a close, clear, and fair investigation of the matter being likely to ruin a political Party in one form or another in one part of the House. I think the country will be a good deal interested to-morrow in reading the three speeches which up to now have been delivered against the proposal of Her Majesty's Government. The hon. Member for Cork (Mr. Parnell) met that proposal by a series of technical suggestions and Amendments to the Bill which are intended, if they have any meaning at all, and if there is to be any Commission at all, to narrow the field and action of the Commission now to be appointed. The right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) reserved the most important part of his speech for the final sentence, in which he suggested that the country would be induced to think that the Government had proposed this Commission for the sake of having it rejected. And after that we had the speech of the unavowed adviser of the plaintiff in the recent action of "O'Donnell *v.* Walter" telling us, in the first place, that there is nothing to investigate, except the authenticity of the letters alleged to have been forged; secondly, that there is nothing new in the accusations recently made; thirdly, that there is no precedent for the proposal which the Government now make; and, lastly, that the scope of the inquiry now proposed would be so large, and the powers of the Commission would be so far-reaching for the discovery of truth, that it would be altogether unworkable. I would like to examine those three propositions one by one. His first proposition is, that there is nothing except these letters, which are alleged to be forged—and which I observe are spoken of with a remarkable assumption of judgment as "the forged letters"—that there is nothing for the tribunal to consider, except the authenticity of those letters. If there were no other question than that, there would not be the smallest excuse for the Government and for this House for creating the Commission now proposed—if the only question was whether these letters were really written by the hon. Member for Cork, there would not be the smallest necessity for this special tribunal now being established, because one of these letters was published and printed in facsimile in *The Times* of April 18, 1887. If the hon. Member for Cork had come down to the House on the evening of that day, and had told the House that, within an hour of reading that letter, he had asked for power to institute a prosecution for libel against *The Times* newspaper a very different opinion of his position with regard to this matter would long ago have prevailed in this country. There would then have been no necessity to go into the question of other and more remote events; there would have been no necessity on the part of the hon. Member to go into Court in order to prove that the letter was not written by him. *The Times* would have had to take upon itself the burden of proof. The issue put before the jury would have been limited to that; and if the hon. Gentleman had succeeded in bringing home to *The Times*, by means which would have been prompt, the guilt of having printed as a letter from him that which was never written by him, he would long ago have cleared away the shadow of doubt and distrust which he now complains has been allowed to attach to his name. Similarly in regard to any other letter alleged to have been written by him. If in a civil action for libel he could have shown that *The Times* newspaper had failed to show that the letters were written by him he would have gained ample damages for the injury which he complains of, and damages large enough to satisfy the instincts of revenge as well as the instincts of cupidity. Or, if the hon. Gentleman had brought his action

in a criminal Court, the author of the libel would have been punished in another way, and would have met with the punishment which the Judge in such a case would have known how to inflict. In the next place, it has been said by the hon. and learned Gentleman (Sir Charles Russell) that these accusations are not new, and that they have previously been gathered up and published in book form. But these accusations, such as they are, were gathered up in the series of articles upon *Parnellism and Crime*, and in May, 1887, there was no doubt in the mind of anyone in this House what those accusations amounted to. The right hon. Member for Derby (Sir William Harcourt) took part in a discussion in this House on the 6th of May last year, and the proposal then made he described in this sense—

He (the hon. Member for East Mayo) offered distinctly that the inquiry should embrace not only this (the question of the veracity of the Member of the House) but also the authenticity of the letter alleged to have been written by Mr. Parnell, and the truth of all the charges that have appeared under the heading *Parnellism and Crime*.—(3 *Hansard*, [314] 1220.)

That was the only definition that a learned and trained lawyer, taking part in a debate in this House, thought it necessary to give of those charges. If there were still any question as to those charges being specific, I should like to make a quotation, not from the speech of my hon. and learned Friend who had charge of and whose conduct in the case of "O'Donnell *v.* Walter" has been attacked to-night, but from the summing up of the learned Judge. He said—

"It would seem that *The Times*, in the discharge of what the managers thought, and possibly rightly thought, to be their duty, published a series of articles under the title of *Parnellism and Crime*. They run over about 60 pages, and contain a great variety of statements deeply incriminating a number of persons—Members of Parliament and persons who are not Members of Parliament, but are well known to the world as prominent men. They are accused, frankly and plainly, of abominable crime—not so much perhaps of having been guilty by their own hands, but of having lent themselves to a system which must necessarily be accompanied with crime, and of having personal knowledge of many of the crimes which did accompany it. That is in substance what is charged against a number of persons whose names appear in these articles."

There could be no more specific statement than that with regard to this matter. Moreover, if it were a question of names being absolutely mentioned, so as to raise questions between Members of this House and and those who have accused them, I will only read one sentence from *Parnellism and Crime*, in which names are given. In closing one of the series of articles, *The Times* said—

"We suspend our studies of Parnellism. They do not affect to be complete. They are made on a cursory examination of a small portion of the published evidence. They have, however, revealed nearly all the chief members of the first Home Rule Ministry—Mr Parnell himself, Mr. Justin M'Carthy, Mr. T. P. O'Connor, Mr. Sexton, Mr. Arthur O'Connor, Mr. Healy, Mr. Biggar, the Messrs. Redmond, Mr. William O'Brien, and Davitt—in trade and traffic with avowed dynamiters and known contrivers of murder."

I quote these two sentences for the purpose of showing that the learned Judge before whom the case came the other day had no doubt whatever what the charges were, and formulated those charges for himself in the sentence I have read; and if there is any doubt as to the persons against whom they are made, the persons whose names are given in the second quotation are directly, plainly, and clearly charged by *The Times* with the offences described. It cannot be said with these articles before us and before the world, that there is any difficulty in discovering what the charges are, or against whom they are made. It is suggested now that the Government should prepare a sort of indictment in this matter, and that they should set forth in the Bill, either as a Schedule, or in some document for which they are responsible, as if they were prosecutors, the names of persons against whom charges are made. But that claim is founded on an entire misapprehension of the attitude of the Government and the House of Commons with regard to the matter. The hon. and learned Gentleman has spoken as if the duty of the Government is to relieve Members of the House of Commons from charges of the kind. In the presence of matters like this, the attitude of the Government ought, I think, to be the attitude of those who are anxious to discover the truth. They ought to be anxious neither to exonerate nor to convict, but to ascertain what the truth is, and it is for this purpose that we propose to establish the tribunal set forth in the Bill. For the purpose of ascertaining the truth of the charges and establishing a tribunal to

investigate them, to put on record a new list, or to repeat a list of persons who are to be charged, would be to put the Government and the House of Commons into the false position of making themselves accusers, when really they are only constructing a judicial tribunal to discover the truth. It is somwhat amusing to hear the hon. and learned Gentleman say that there is no precedent for this inquiry. When it was resolved upon, the Government in framing the Bill naturally turned back to two similar Commissions, the Sheffield Commission and the inquiry into the Metropolitan Board of Works, and when it came to be the duty of the Government to see what provisions should be made as to the powers of the tribunal, they turned to those precedents. I agree, however, as far as I know, that there is no exact precedent for such a case as this, neither is there one which concerns it in one respect, which is, that those who complain of having been grossly libelled have shrunk so persistently from the verdict of a jury. And now we are actually told, as a sort of retort against the suggestion made by my right hon. Friend the Leader of the House, that there had been reluctance to face the verdict of a jury—we are told by the right hon. Member for Mid Lothian that we have the opportunity ourselves of submitting this case to the verdict of a jury by putting the Members incriminated upon their trial for a criminal offence. Does anybody fail to see through that suggestion? Does anybody in this House fail to see that if the persons whose conduct is to be investigated were really guilty, the position they would most desire would be one in which their mouths would be closed—when they could not be asked a single question, and when all the resources of rhetoric would be employed in their defence, and without any inconvenient reference to their own knowledge of facts? When my hon. and learned Friend says that this Commission would be unworkable and unfair, he chooses a very singular instance of unfairness. He chooses the section which says—and I agree that it is a large section—that any person implicated should be entitled to appear by council and call witnesses before the tribunal. But that by no means says that the person shall be entitled to have his counsel making speeches and taking other part in the conduct of the tribunal. The hon. and learned Gentleman went on to say that, of course it will be a judicial tribunal in the sense that it will be held by three distinguished Judges trained in considering evidence and administering justice, and not in the least likely to accept mere babble and gossip instead of the evidence they have been accustomed to deal with. Take the three Judges mentioned, and it is a singular, and, I think, a very unhappy thing that the opportunity should at once bave been taken by the right hon. Member for Mid Lothian of casting a doubt on the fairness of the tribunal, and so enabling those who may hereafter find themselves condemned by its decision to refer back to his speech of to-night and say that that decision ought not to bear weight, because directly it was mentioned the Leader of the Opposition got up and expressed dissatisfaction with the constitution of the tribunal. I hope at no stage of the discussion on this Bill shall we be called upon to canvass any more the individual Judges; but when the right hon. Gentleman said he could imagine three names which would give more satisfaction to the country, I certainly cannot imagine any three names that could be proposed which would be more absolutely disassociated with Party conflicts, or less liable to have their judgment warped—I cannot imagine any three Judges whose personal history and whose political opinions could less lay them open to doubt on the part of any Leader of this House. Well, then my hon. and learned Friend says they should be bound by all the technical rules of the administration of the law.

SIR CHARLES RUSSELL: Of legal evidence.

SIR EDWARD CLARKE: Of course, they will listen to legal evidence, and to legal evidence only. Does he imagine that three Judges would hold a tribunal of this kind, and accept as conclusive, and form the foundation of their judgment on, evidence which, if they were trying a small action for £25 worth of property, they would reject as insufficient and unsatisfactory? I think there is something behind this proposal that the Judges should be bound by judicial rules. There was one remarkable suggestion of the hon. Member for Cork. The hon. Member has actually proposed

and desired that in this case, as in the ordinary case of an action at law, there shall be the same powers of discovery. That my hon. and learned Friend turned with the manner of an inquisitor, and I say that interrogatories were in his mind. The proposal is actually made that before the three Judges shall commence to investigate the matter, they shall insist upon each side, I suppose, producing for the other side's inspection every scrap of evidence. Sir, no rule, I imagine, could be laid down more absolutely fatal to the success of this inquiry than that; and I will tell him why, and if he has watched the columns of one or two daily papers since the speech of my hon. and learned Friend was made in the case of "O'Donnell *v.* Walter" he will find the reason for the observations I am going to make. Supposing a document is produced, if that document is a true one, the other side will know pretty well by what means that document came into the possession of their opponents. They will know the witnesses who will have to be relied upon to prove that document before the tribunal; and in such a case I doubt very much whether the life of such an important witness would be safe. I do not believe that the life of an important witness would be safe, unless he was induced or coerced into making some statement which would discredit his evidence, if it did not altogether make it false. If this House, in unprecedented generosity to Members who are sitting on the other side, seek to save them from the dread peril of going before a jury in the ordinary way by giving them this tribunal, I do not think the House is going to cripple and narrow the action of the tribunal, and risk the efficiency of its working, by laying down in advance special, particular, and narrow rules for its guidance. If we have three Judges, we can trust their experience and authority, surely, to guide the inquiry, if this be tried at all to an end. We can surely trust them with power over their own proceedings, and to summon such witnesses as they please, without being bound to one side or the other. The proposal in the Bill on which the hon. and learned Member commented is a proposal the absence of which from the Bill I should have expected him to complain of. Surely, it is a reasonable proposal that any person who may be implicated shall be entitled to appear by counsel, and to call witnesses to prove his innocence.

SIR CHARLES RUSSELL explained that he had only made the observations referred to to show the unworkable character of the Ministerial plan.

SIR EDWARD CLARKE: Look, then, at the dilemma in which that places you. If this proposal had not been in the Bill, you would have said—"There may be all sorts of persons accused before this tribunal, and they will not be able to appear by counsel, or to call witnesses to prove their innocence," and the objection, I think, would have been a strong one. But now that the Government have proposed that persons implicated may call witnesses, and may be represented by counsel, the hon. and learned Gentleman says that the proposal is unworkable. It is pretty easy to see what is at the bottom of the opposing and self-destructive criticisms which have been put before the House to-night. It is a desire to escape from the tribunal altogether. To bring a civil action for libel involves risk; to institute criminal proceedings for libel also involves risk; but here there is no risk of the same kind. It is true that this investigation would involve very grave results, such as the destruction of reputations. [Mr. T. P. O'CONNOR: The exposure of forgeries.] It would involve exposure on one side or the other. At the present I treat the matter as a perfectly open question; but it is true that the investigation involves grave issues. It does not, however, involve the grave results that might follow an action for libel or a criminal prosecution. The institution of either of these forms of trial might result in criminal prosecutions of a very serious kind. Here the persons summoned, if they incriminate themselves in the evidence which they gave before the tribunal, will enjoy immunity from future prosecution by virtue of the certificate of the tribunal. That offer is as just and complete an offer as could be made to persons who declare themselves to have been libelled in the public Press. I believe that it is not open to any of the criticisms which have been passed upon it to-night, and I do believe that the hostility with which the proposal has been met indicates pretty well with what

thoughts and sort of feelings different hon. Members look forward to the investigation of the charges made against them.

MR. T. P. O'CONNOR (Liverpool, Scotland) said. The tactics of the Government bear a close resemblance to the tactics of the hon. and learned Attorney General (Sir Richard Webster) in the recent trial. A very powerful speech in criticism of the Bill has been made, and not a single Member of the Government rose to reply, but it is left to the Leaders of the Opposition to get up in the middle of the dinner hour. The Government does not even attempt to make a reply. I heard the hon. and learned Attorney General declare in the course of the case of "O'Donnell *v.* Walter," and in answer to an objection of counsel for the plaintiff, that he would state nothing that he would not afterwards prove in evidence — though that statement of his is entirely expunged from the official report of the proceedings in *The Times*. The hon. and learned Gentleman would have been stopped early in the delivery of his speech if he had not made that declaration, but having been allowed to make his charges against the hon. Member for Cork (Mr. Parnell) and his Colleagues on the faith of that promise, the hon. and learned Gentleman broke it. This was a sample of the generosity—to use the expression of the hon. and learned Solicitor General (Sir Edward Clarke)—with which the Parliamentary Colleagues of the hon. and learned Gentleman have been treated by him and the Government. I have observed an extraordinary thing lately. The letters have gradually changed their importance. At one time they were the most damning evidence against the hon. Member for Cork, who was told, "Either answer the charges in respect of these letters or be condemned. Prove them to be forgeries or leave public life at once." That was the tone a year ago, and to a certain extent that was the tone in the trial of "O'Donnell *v.* Walter." But as soon as there seemed to be a chance that public exposure would be the fate of these letters their importance greatly decreased. I do not believe, however, that people will be led astray by the Government and *The Times*, for everybody could see that as soon as the Nationalist Party got a chance to prove that these letters were forgeries, *The Times*, conscious of its guilt, endeavoured to shift them into the second place. I maintain—in opposition to the hon. and learned Solicitor General — that the letters by themselves suffice to justify the Commission proposed by the Government, for the result of the case, as confined to them, will have the gravest political results. But that is not the wish of the Government. I always speak of them and *The Times* together—I have a right to do so. My hon. Friend to-night spoke of them as "confederates," and is not that language justified by proceedings notorious to all the world? The hon. and learned Attorney General, who has been counsel for *The Times*, assisted the Government in framing a Bill which professes to do fair and equal justice between *The Times* and my hon. Friend the Member for Cork. Nay, more, it has not been denied that the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) has been in consultation with Mr. Walter, the proprietor of *The Times*. [An hon. MEMBER: No.] I defy a denial of the statement. Let me not be misunderstood. I do not regard the conference between the right hon. Gentleman the First Lord of the Treasury and Mr. Walter as by any means as prejudicial to our interests as the conference between the right hon. Gentleman the First Lord of the Treasury and the hon. and learned Attorney General. The hon. and learned Attorney General is a man of ability and experience, who knows all the tricks of the legal trade, and he will be able to tell the Government the best way to frame the Bill in the interests of *The Times* and against the interests of the hon. Member for Cork and his Colleagues. It is not a public scandal that the Government of the country, professing to do equal justice between *The Times* newspaper and certain Members of this House, should call into its consultations in framing the Bill the proprietor of *The Times* and the counsel for the paper? I think I have given the House a sample of the "generosity" of the Government. I take another point. I come to the letters themselves. According to the hon. and learned Solicitor General, these letters are mere trifles—mere secondary evidence according to *The Times*. The hon. and learned Solicitor General forgets that this second

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letter inciting to murder has never appeared in any form except in the speech of the hon. and learned Attorney General. [Sir EDWARD CLARKE: The first letter has.] The second letter, which is the worst, has never appeared in any actionable form—I mean the letter read in Court by the hon. and learned Attorney General, and commencing "Dear E.," reminding him that he had "undertaken to make it hot for old Forster and Co." That letter is simply an incitement to murder. [*Cheers.*] I am glad that is the interpretation placed upon it on the other side of the House; but what does the hon. and learned Solicitor General mean by saying that it is so trifling a thing that it is not worthy to be inquired into? If my hon. Friend wrote that letter he was a murderer in intention, and are we to be told that such a letter and such a charge would not be sufficiently solid material for investigation by a Commission. Then I take the letter in which the hon. Member for Cork is made to say that "To denounce the Phœnix Park murders is the only course open to him." The writer of that letter would have been a hypocrite of the worst kind—a double-dyed coward, and an accomplice to murder. A proclamation in the most vehement terms had been issued by the hon. Member for Cork denouncing the murders, and in this letter he is represented as apologising for that proclamation. Therefore, I am entitled to say that if the Commission had before it these letters alone it would have material which, if proved, would drive the hon. Member for Cork from public life amid the jeers and curses of every decent and honest Member. Yet we have the hon. and learned Solicitor General declaring these letters are trifling and unimportant. Have you lost faith in the genuineness of these letters? Why, these letters would, if you were sincere in you professed faith in their genuineness, effect your object and the object of *The Times* in depriving the Irish people and the Irish Party for ever of the great and inestimable services of this man of genius and courage who led them—the hon. Member for Cork. The right hon. Gentleman the Secretary of State for the Home Department (Mr. Matthews)—who was put up somewhat late in the day for the Government—assumed an air of official impartiality on behalf of his Colleagues—those confederates of *The Times*, who are trying to drag us into a game with loaded dice, and with every trick and artifice employed against us. The right hon. Gentleman spoke of investigating the crimes of others as well as of Members of Parliament, and he also spoke of condoning and forgiving criminals. Such a Commission of investigation would bring us very far—it would bring us to the relations of the right hon. Gentleman himself with the Fenian Brotherhood. Does he remember that he obtained entrance into this House by denouncing an Irish Crown prosecutor for the discharge of his duty in prosecuting Fenians? We may also have to put the right hon. Gentleman the Chief Secretary into the box and ask him whether he remembers certain interviews between himself and the hon. Member for Cork, when the Irish Party were discussing the great question whether it was safe to turn the Liberals out of Office for the benefit of the Tories? [Mr. A. J. BALFOUR: Hear, hear!] I am sure the right hon. Gentleman does not remember. I know it is very convenient for him to forget; his memory requires frequent refreshing. We would also require to have another person in the box. We would require to have Lord St. Oswald, and ask him to give us the history of the series of conversations that led to that memorable vote of June 8, 1885, which dethroned a Liberal Ministry and gave the right hon. Gentleman his first Ministerial position. What is the meaning of all this talk now about the Land League and crime? Again and again these charges have been brought against us, and the final verdict upon them will never be given. The historian a century hence will probably be discussing whether the speech of my hon. Friend the Member for Cork in Ennis, in 1880, did or did not lead to crime. That will be the philosophic investigation of historians in years to come. A Commission of Judges cannot decide a question like that. It is a matter of speculation, and no inquiry will ever set the matter at rest. Why, we can call the Government themselves as the best defenders of those charges against us; because they have all been repeated and urged over and over again in one of the most powerful speeches this House has ever listened to from the

late Mr. Forster, at the very time we were in close alliance every night with the Tory Party, before the time they climbed into Office upon our shoulders. Why, to appoint a Commission to decide the question whether the speech of my hon. Friend the Member for Cork resulted in crime is the most idle piece of speculation ever proposed. The Home Secretary thinks it necessary to have other persons included in the inquiry, in order to establish or destroy this case against us. He says that Mr. Frank Byrne was formerly an associate and official of hon. Members on these Benches. That is perfectly true. I will go further, and say that of all Members in this House I was the official most intimately associated with Byrne. I have had all the responsibility of everything done by Byrne so far as his official connection with the League is concerned, a responsibility which is shared by my hon. Friend the Member for the city of Derry (Mr. Justin M'Carthy). I am prepared to give every conversation I have ever held with Mr. Byrne, and to narrate all the actions we have taken together. But will anyone believe, because I was officially engaged with Byrne in the work of the organization, in the work of helping the Tories to get into Office, does anybody suppose that that brings me a bit nearer to a guilty knowledge of the guilty purpose in which it was said Byrne was engaged? ["Yes!" *from the Ministerial Benches.*] Is that the impartial tribunal? Association with a man for one purpose is a distinct proof in the eyes of hon. Members opposite that you know of the guilty purpose in which the man was also engaged. Up to the moment of his flight to France, I had the fullest confidence in Byrne. *The Times* says I seconded a vote of confidence in Byrne. I will not say whether that is true or false; but this I will say, that up to the last time I saw Byrne I regarded him as an upright, honest official, utterly incapable of any of the charges brought against him. I will state that before any Commission you like. I proclaim it, although without any Commission. So that, so far as the relations of Byrne and the Parnellites are concerned, there is no occasion for any Commission at all. The Home Secretary also said it would be necessary to show whether the knives were in a certain office in Palace Chambers. I do not know, although I have little, if any, doubt they were, but that will not help the right hon. Gentleman in making a charge of complicity in crime against me, or the Member for Cork, or for Derry City. But if it will help the right hon. Gentleman to bring a charge home to the Parnellites, I will at once concede that the knives were in Palace Chambers. I will concede, further, that the Government did apply for the extradition of Mr. Byrne on a charge of murder; so that, so far as Mr. Byrne's guilt is concerned, there, again, is no necessity for a Commission. What the right hon. Gentleman is concerned to prove is guilty knowledge on the part of the Parnellites, and that I had guilty knowledge of Byrne's guilty purpose. I admit that guilt. What I mean is this—I am perfectly sure that I do not know whether Byrne is guilty or not; but what I know is, that the House of Commons has nothing to do with the question. What the House of Commons has to do with is, whether I am guilty, and whether the hon. Member for Cork is also guilty, and not as to whether Byrne is guilty. The Home Secretary then talked of our connection with Patrick Ford, who wrote incendiary articles. The right hon. Gentleman may put all the articles in. We raise no technical or legal objection in this business; what we want is a fair, straight, clear, and honest investigation. We seek it—we beg it at your hands—and you refuse it. We do not want to shrink from our connection with Ford. I am perfectly prepared to repeat every word I said to Ford, or to anyone else. We are prepared to go into the box, and tell everything we know about Ford and about our connection with him. We will tell every word, and not shrink from a single syllable. We want to know in a clear and definite way what you propose to do. We are willing to have those forged letters produced, and an investigation into them; but we do not feel justified, on a Bill such as this that is now before the House, in having an inquiry into the whole history of the Land League. If a Bill is brought in to deal with the case of the Land League, we are quite prepared then to go into that question. We have been begging for the present inquiry for a year. And we have been quite prepared to submit to an inquiry in which our

political opponents on the opposite side of the House would have been in a majority. Now, we are willing to submit to an inquiry by three Judges—all of them Englishmen, most probably opposed to us in politics—if our case is put before them and if our guilt is the real question they will have to try. What are the Government going to do? They know these letters are forgeries. *The Times* also knows that, and it could easily be seen by the way in which they are endeavouring to escape from inquiry. That shows that they are conscious that they are forgeries. The Government wants to save *The Times* from a worse exposure—they want to save the Irish Members from an acquittal on the gravest charges ever put forward against public men. This is the most ugly piece of business in the annals of the country; for it shows that the Government are ready to make capital out of charges which they cannot sustain. I leave the country to judge between us and the Government. The Government promised to suspend the Standing Orders of the House, in order that a fair opportunity for the discussion of this question might be given us, and even yet I assume that another speaker will rise from the Government Benches; for, up to the present, all the real and substantial questions of my hon. Friend, Mr. Parnell, have remained unanswered All that we have been told is that this will be a judicial tribunal; but we also want the legal rules of evidence to be followed, and as to that there has been nothing but quibbling. Are we going to get a fair trial, a fair, honest, and impartial delivery between us and *The Times*, or are we going to be allowed to fall into a miserable trap concocted for us in collusion with *The Times?*

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Labouchere.*)

MR. W. H. SMITH said, he trusted the hon. Gentleman would proceed with his speech during the short period of time that remained, although it was only 10 minutes. It would be most undesirable to adjourn the debate, and he understood it was the desire of the House that the second reading should be taken that evening. It was not an occasion on which he felt it right to press the House for an immediate decision, unless there was a general wish that it should be so; but he would point out that it was contrary to the understanding—[" No, no!"]—well, to the general expectation on the matter.

MR. T. M. HEALY (Longford, N.) said, he wanted to know whether the right hon. Gentleman refused to extend the time for the debate? He thought he had promised otherwise.

MR. W. H. SMITH said, if he had known that there was any general desire that the suspension of the 12 o'clock Rule should be moved he would have done so, but no such intimation reached him.

MR. T. M. HEALY said, that it was perfectly understood that his hon. Friend (Mr. Parnell) would insist upon an adequate discussion of the Bill. The frankest course would have been for the right hon. Gentleman to have put a Motion with regard to the Standing Order on the Paper, and to have moved it, if he found there was a general desire for a longer discussion; but the right hon. Gentleman had precluded himself from any such course on Friday night. It was generally supposed that it was criminals who were afraid of discussion; it was the Government who were now desiring to cloak the question, and to stop by the clock and not by the exhaustion of the debate. He must say it was a preposterous proposition to suggest the close of the debate, and it was absurd to suppose that in five hours so important a debate could be disposed of.

MR. LABOUCHERE (Northampton) said, he thought that the right hon. Gentleman did not remember what had occurred. On the first reading of the Bill there had been an exceedingly short discussion. He understood that this subject was to be well discussed. He would ask, however, for leave to withdraw the Motion.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. LABOUCHERE said, that he had not long to speak; he had only got six minutes, and he need hardly say it was almost impossible to compress any real debate on this question into that space of time. The hon. Member for Cork (Mr. Parnell) had made a certain proposal to the right hon. Gentleman, and it had been a most surprising sight

to see all the Members on the Treasury Bench sitting in sullen silence and refusing to get up. Since then, with the exception of that of the right hon. Gentleman (Mr. W. E. Gladstone), they had had two speeches, but they had been the small and petty quibbles of two lawyers. What they wanted to do was to discuss this matter in a statesmanlike spirit. It was a very large question—larger than the First Lord of the Treasury or anyone on that Bench seemed to imagine. It established a very important precedent, which might be frequently used afterwards. He hoped that the right hon. Gentleman would look at this matter as a statesman, and not be led away by what he imagined to be the advantage of the moment for his Party, but consider what would be for the ultimate benefit of that House and the honour of the country. If he did so, the right hon. Gentleman would come to the conclusion that he had made the greatest mistake possible in bringing forward the Bill. The right hon. Gentleman said that he had yielded to the wishes of the hon. Member for Cork in proposing this Commission; but the hon. Member had asked for one thing, and the right hon. Gentleman was giving him a perfectly different thing. Did the right hon. Gentleman really think that the appointment of a Commission with the objects he proposed would really tend to elucidate the real, practical question—namely, whether the hon. Member for Cork had been accessory or privy to all these crimes which had taken place in Ireland? The proposed inquiry would be almost interminable, and would cover two hemispheres.

It being Midnight, the Debate stood adjourned.

MR. W. H. SMITH said, that he proposed that the debate should be renewed to-morrow, and he ventured to express the hope that it would be concluded before the dinner hour. ["Oh, oh!"]

Debate to be resumed *To-morrow.*

PHARMACY ACTS AMENDMENT BILL

[*Lords*].—[BILL 196.]

(*Sir Henry Roscoe.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Second Reading be deferred till Monday next."

Mr. Labouchere

DR. TANNER (Cork Co., Mid) asked when the Bill was really going to be proceeded with? He and others interested in the measure would like some definite assurance as to whether it was to be proceeded with or not.

DR. FARQUHARSON (Aberdeenshire, W.) said, that the hon. Gentleman the Member for South Manchester (Sir Henry Roscoe), who was in charge of the Bill, was not present; but he thought he might say that the hon. Gentleman would take every opportunity he could find to press it forward.

Question put, and *agreed to.*

MOTIONS.

—o—

SMALL HOLDINGS.

MOTION FOR A SELECT COMMITTEE.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the facilities which exist for the creation of Small Holdings in Land in Great Britain; whether, either in connection with an improved system of Local Government or otherwise, those facilities may be extended; whether, in recent years, there has been any diminution in the number of Small Owners and Cultivators of Land; and whether there is any evidence to show that such diminution is due to legislation:

That the Committee do consist of Seventeen Members."—(*Mr. Akers-Douglas.*)

DR. FARQUHARSON (Aberdeenshire, W.) said, he had no wish to oppose the appointment of the Committee, which was a good one; but he hoped the Government would take into consideration the very moderate proposal he had put on the Paper. In view of the fact that the Bill was to be applied to Scotland, it was not unreasonable to ask that one or two Scotch County Members should be added to the Committee.

MR. ANDERSON (Elgin and Nairn) said, that the composition of the Committee as regarded Scotland had led him hitherto to object to the appointment of the Committee. He did not oppose it any longer, and he thought it was highly desirable the Committee should get to work; but he trusted the Government would not object to the appointment of two Scotch County Members upon the Committee.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, the Government

felt it was impossible to increase the number of Scotch Members. There were three Scotch Members already.

DR. FARQUHARSON: No; only two.

MR. GOSCHEN: There are three Scotchmen.

DR. FARQUHARSON: One is the Member for Ipswich (Sir Charles Dalrymple).

MR. GOSCHEN said, there were two Scotch Borough Members. If the Scotch Members wanted two County Members upon the Committee, the simplest plan would be to withdraw the Borough Members, and substitute for them two County Members. The Government could not consent to increase he number of Scotch Members, as they would then be out of proportion to the rest of the Committee.

MR. ESSLEMONT (Aberdeen, E.) said, he could not see it would be at all disproportionate if four Scotch Members were appointed on the Committee.

MR. T. M. HEALY (Longford, N.) said, he thought that in view of the late period of the Session at which the Committee was appointed, it would be practically impossible to do any effective work that year. He desired to give the Government Notice that, in case the matter came up next year, he should raise the question of the desirability of investigating the operation of the Labourers' Act.

Question put, and *agreed to*.

The Committee was accordingly *nominated* of,—Sir Edward Birkbeck, Mr. Broadhurst, Sir George Campbell, Mr. Joseph Chamberlain, Mr. Chaplin, Mr. Cobb, Mr. Jesse Collings, Viscount Curzon, Sir Charles Dalrymple, Sir William Hart Dyke, Mr. Thomas Ellis, Sir Walter Foster, Mr. Compton Lawrance, Mr. Llewellyn, Mr. James William Lowther, Mr. Robert Reid, and Mr. Halley Stewart.—Power to send for persons, papers, and records; Five to be the quorum.

STANDING COMMITTEES (CHAIRMEN'S PANEL).

Leave to make a Special Report.

Mr. Campbell Bannerman *reported* from the Chairman's Panel; That they had appointed Mr. Arthur O'Connor to act as Chairman of the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, in the place of Sir Matthew White Ridley.

Report to lie upon the Table.

SANITARY REGISTRATION OF BUILDINGS BILL.

On the Motion of Dr. Farquharson, Bill for the better sanitation of dwelling houses, schools, colleges, hospitals, factories, workshops, hotels, lodging houses, and other buildings within the United Kingdom, *ordered* to be brought in by Dr. Farquharson, Sir Henry Roscoe, Sir Guyer Hunter, and Dr. Cameron.

Bill *presented*, and read the first time. [Bill 342.]

House adjourned at Twenty minutes after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 24th July, 1888.

MINUTES.] — PUBLIC BILLS — *Committee* — Libel Law Amendment (190-231).

Report — Land Charges Registration and Searches (221); Companies Clauses Consolidation Act (1845) Amendment (230).

Royal Assent—Habitual Drunkards Act (1879) Amendment (No. 2) [51 & 52 *Vict.* c. 19].

PROVISIONAL ORDER BILLS—*Committee*—Local Government (No. 13) * (207).

Third Reading—Commons Regulation (Therfield Heath) * (228), and *passed*.

Royal Assent—Local Government (Poor Law) (No. 7) [51 & 52 *Vict.* c. xciv]; Tramways (No. 2) [51 & 52 *Vict.* c. xcv]; Drainage and Improvement of Lands (Ireland) [51 & 52 *Vict.* c. xcvi]; Local Government (No. 5) [51 & 52 *Vict.* c. cxx]; Local Government (No. 6) [51 & 52 *Vict.* c. ci]; Local Government (No. 7) [51 & 52 *Vict.* c. cxxi]; Local Government (No. 8) [51 & 52 *Vict.* c. cxxxiii]; Local Government (No. 9) [51 & 52 *Vict.* c. cii]; Local Government (No. 10) [51 & 52 *Vict.* c. cxxxiv]; Local Government (No. 11) [51 & 52 *Vict.* c. cxxxi]; Local Government (No. 12) [51 & 52 *Vict.* c. ciii]; Elementary Education Confirmation (Birmingham) [51 & 52 *Vict.* c. cxxiii]; Local Government (Ireland) (Ballmoney, &c.) [51 & 52 *Vict.* c. cxxiv]; Pier and Harbour [51 & 52 *Vict.* c. cxix]; Tramways (No. 3) [51 & 52 *Vict.* c. cxxii]; Gas and Water [51 & 52 *Vict.* c. cxxvii]; Gas (No. 1) [51 & 52 *Vict.* c. cxxv]; Gas (No. 2) [51 & 52 *Vict.* c. cxxvi]; Water [51 & 52 *Vict.* c. xcvii]; Water (No. 2) [51 & 52 *Vict.* c. cviii]; Local Government (Gas) [51 & 52 *Vict.* c. cxxxii].

LIBEL LAW AMENDMENT BILL

(*The Lord Monkswell.*)

(NO. 190.) COMMITTEE.

House in Committee (according to order).

Clauses 1 and 2 *agreed to.*

Clause 3 (Newspaper reports of proceeding of courts exercising judicial authority privileged).

Amendment *moved,*

In page 1, line 14, after ("leged,") insert ("and if such proceedings shall last for more than one day, it shall not be lawful to publish any report until after a verdict or other conclusion of such proceedings, and any such publication or circulation may be deemed a contempt of court, punishable as such by the judge of the court whose proceedings shall have been prematurely reported").—(*The Lord Denman.*)

LORD MONKSWELL said, it would be quite impossible to carry this Amendment into effect.

Amendment *negatived.*

On the Motion of Lord MONKSWELL, Amendment made, in page 1, line 15, after ("blasphemous,") insert ("or,") and leave out ("or scandalous").

On Question that the Clause, as amended, stand part of the Bill?

LORD ESHER (MASTER of the ROLLS) said, he wished their Lordships to understand exactly what they were asked to do in regard to this question of newspaper privilege? If a person cut a libel from a newspaper and sent it by a letter to a friend by way of information, that person was liable to an action and was not protected by privilege, although the newspaper from which the libel was taken would be so protected. So, if a newspaper reporter communicated his report to another person, and the latter sent it by letter to a friend, the paper publishing the report would be protected by privilege, whilst the sender by letter would not. This was a curiosity, and one would think there ought to be some explanation why a newspaper should be allowed to libel people with impunity, when the same report cut out of the newspaper might render the person so dealing with the report liable to an action.

LORD HERSCHELL said, that, in order to render such a person liable to a prosecution for libel, it would have to be proved that he was actuated by malice.

Clause, as amended, *agreed to.*

Clause 4 (Newspaper reports of proceedings of public meetings and of certain bodies and persons privileged).

LORD MONKSWELL said, the Amendment which he now proposed to move, and several other Amendments, had been suggested by the National Association of Journalists after consultation with the Lord Chancellor.

Amendment moved, in page 1, line 17, after ("of a,") insert ("*bonâ fide,*") and leave out ("convened or").—(*The Lord Monkswell.*)

THE LORD CHANCELLOR (Lord HALSBURY) said, that he had some difficulty in understanding this clause. What was a public meeting? A meeting to which the public were invited to attend, or were admitted by ticket? A railway meeting would be to many persons one of great interest, but was it public? He did not know what a public meeting was unless it was one to which every member of the public was entitled to go. He quite saw what the object was, but he doubted whether in practice it would be so easy a matter to adjudicate upon. Having delivered his soul on the subject, he would not carry his objections to the Amendment further; but he had great doubts whether it would effect the object the noble Lord had in view.

LORD MONKSWELL observed, that many meetings were held, admission to which was by ticket. These meetings were for all practical purposes open to the public, and it was only fair and reasonable that the proceedings should be privileged.

LORD HERSCHELL said, that a meeting of railway shareholders could not be called a public meeting, and yet it was a meeting of public interest.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) said, he feared the question of restriction was difficult of definition. There might be a meeting where a person expressed himself with undue emphasis and was turned out. Immediately restriction began, and a report which up to that time was privileged became at once not privileged.

LORD HERSCHELL suggested, that there ought to be no difficulty in privileging a meeting convened for a public purpose.

THE MARQUESS OF SALISBURY observed, that it might be that Liberals

would consider a Conservative meeting of no public interest, and *vice versâ*.

Amendment *agreed to*.

Amendment moved, in page 1, line 18, after ("lawful purpose,") insert ("whether the admissions thereto be general or restricted.")—(*The Lord Monkswell.*)

LORD HERSCHELL said, he had great doubts as to these words. If the admission was to be restricted, how could it be called a public meeting? He thought it would be much better if the complicated phraseology of the clause were replaced by such words as "*bonâ fide* held for a public purpose."

THE EARL OF SELBORNE thought that the words "*bonâ fide*" would show that it was not a meeting at which only one or two persons might be present.

THE EARL OF MILLTOWN said, the words were a contradiction; how could the meeting be public if restricted?

Amendment *agreed to*.

Amendment *moved*, in page 1, line 18, leave out ("lawful purpose"), and, after ("or,") insert ("except where the proceedings are intended to be private").—(*The Lord Monkswell.*)

THE MARQUESS OF SALISBURY asked, in reference to the meetings of public Bodies, who was to determine whether the proceedings were intended to be private or not?

LORD MONKSWELL: The chairman or majority of the meeting. Perhaps it would be well to amend the Amendment by inserting, after "intended," "by consent or resolution of the meeting."

Amendment, as amended, *agreed to*.

On the Motion of Lord MONKSWELL, Amendment made, in page 2, line 7, by inserting ("or") before ("indecent,") and leaving out ("scandalous").

LORD MONKSWELL moved to omit all the words after the word "matter," and insert "not published in the interest of the public." He said that he had made this change on account of what had fallen on a previous occasion from the Lord Chancellor, who had considered that the words "public interest" might cause difficulty, and that an Amendment such as was now proposed should render it easier for the reporters to judge what should be published.

Amendment *moved*, in page 2, line 17, to leave out all the words after ("not") to the end of the clause, and insert ("in the interest of the public.")—(*The Lord Monkswell.*)

LORD HERSCHELL said, that a great deal was published for the interest of the newspaper and not for the interest of the public. He did not think that they could inquire into motives.

THE EARL OF MILLTOWN asked who was to decide whether the matter was or was not in the interest of the public—the Judge or the jury?

LORD HALSBURY said, it was for the jury to decide as a question of fact.

Amendment *agreed to*.

On Question that the Clause, as amended, stand part of the Bill,

LORD HERSCHELL suggested that that the question of privilege in connection with meetings ought to be re-considered. He had not put down an Amendment, though he intended to do so at a later stage. The question was one of considerable public importance. This clause proposed to absolutely privilege a newspaper giving a true and accurate account of what had taken place at a meeting, notwithstanding the fact that things very injurious to the character of individuals had been uttered. The person slandered would have no redress against the newspaper, even though his private character might have been most injuriously affected. Meetings would be carried on privately, the proceedings of which, nevertheless, would certainly be known and made public, and in this case he considered that the person who uttered the words should be directly responsible. There would be no injustice in saying to a man that in such circumstances he would be as responsible for his words as if he had written them, reserving, of course, all existing privileges.

LORD HALSBURY said, he must express his entire concurrence with what had fallen from the noble and learned Lord; his only sorrow was that the noble and learned Lord had not thought of it in 1881, when he was Solicitor General. At that time he had himself made the very proposal in the House of Commons, but he was overruled by the

noble and learned Lord at half-past 11 at night. The consequence had been that an Act of Parliament was passed which did not contain the protection which the noble and learned Lord thought necessary.

LORD HERSCHELL said, that the lateness of the hour was probably the reason. The present Bill, however, considerably enlarged the privilege introduced into the Act of 1887. When the immunity was made wider the danger was greater, and the extension of privilege made the necessity greater for protection such as he had indicated.

THE MARQUESS OF SALISBURY said, he considered that a person libelled would be placed in a very difficult position. He would have no means of proceeding against the newspaper, and he would not be able to reach the speaker, because he in all probability would not be able to obtain the evidence that he uttered the words.

LORD ESHER said, he had always thought a man ought to be answerable in every case for slander. Why should a man be relieved from penalty in a case of slander when if he wrote the same thing he would be liable?

LORD HERSCHELL remarked, that words spoken were frequently not as deliberate as words written. The number of actions for slander would be very much increased if such actions were allowed for every ephemeral expression. But he did think that where a man made a speech intended to go out to all the world it was of the same character as written words.

Clause, as amended, *agreed to.*

Clause 5 (Consolidation of actions).

LORD MONKSWELL moved in page 2, line 23, after "actions," to insert "so that they shall be tried together." He thought it extremely desirable that the jury should have but one action and the whole amount of damages in their view at once.

Amendment *moved* in page, line 23, after ("such actions,") insert ("so that they shall be tried together").—(*The Lord Monkswell.*)

LORD FITZGERALD said, he was of opinion that the clause was unworkable. The jury ought to assess the damage in each individual case.

LORD HERSCHELL said, he approved the view that the jury should assess the entire damages at once.

Amendment *agreed to.*

Amendment *moved,*

In page 2, line 23, after ("actions,") insert ("or to order the author or authors of any anonymous letter or matter, if disclosed, to be the sole defendant or defendants in any action or actions").—(*The Lord Denman.*)

LORD MONKSWELL said, he must oppose the Amendment on the ground that it was impossible to make the Judge the person to decide matters of that kind.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 6 (Power to defendant to give certain evidence in mitigation of damages) *agreed to.*

Clause 7 (On prosecution for libel, knowledge of person proceeded against to be shown.)

THE MARQUESS OF SALISBURY said, he would suggest that in the absence of the person generally responsible there should be another person who would be responsible.

LORD MONKSWELL said, the clause as it stood was practically a restatement of the law as enacted by Lord Campbell's Act. Still, he would be willing to insert words to meet the objection that had been taken to the clause.

LORD COLERIDGE said, it would be very inconvenient to alter the law as laid down in Lord Campbell's Act, under which two authoritative decisions had been given by the Court of Queen's Bench. If the clause did not go any further than that Act it would be a pity to disturb it.

LORD ESHER contended that the clause as it stood was right; no man who was not criminally cognizant ought to be convicted of crime. There ought to be no condition whatever attached to his relief from criminal conviction.

LORD HALSBURY pointed out that the business of a newspaper was carried on on behalf of the proprietor and for his profit, and a *primâ facie* duty rested upon him to see that his neighbours were not slandered. He thought the clause must be modied in some manner, for there was nothing to show what was meant by due care. It seemed to him that the proprietor should take some

precaution for the protection of persons whose characters might be assailed.

Clause (by leave of the House) *withdrawn.*

Clause 8 (Obscene matter must not be set forth in an indictment or other judicial proceedings) *agreed to.*

LORD COLERIDGE (LORD CHIEF JUSTICE OF ENGLAND), in moving to insert the following New Clause after Clause 8:—

"Section three of forty-fourth and forty-fifth Victoria, chapter sixty, is hereby repealed, and instead thereof be it enacted that no criminal prosecution shall be commenced against any proprietor, publisher, editor, or any person responsible for the publication of a newspaper or other publication, for any libel published therein without the written *fiat* or allowance of Her Majesty's Attorney Generals in England and Ireland respectively, or without the order of a Judge at Chambers being first had and obtained; application for such *fiat*, allowance, or order being made either to the Attorney General or to the Judge as aforesaid, but not to both. That such application shall be made on notice to the person accused, who shall have an opportunity of being heard against such application,"

said, he admitted the clause was open to the objection that it went a little beyond the scope of this Bill. The law at present was that the sanction of the Director of Public Prosecutions must be obtained before criminal proceedings could be commenced. The office of Director of Public Prosecutions was a new office which was created by general consent and from which great things were hoped for. The first person appointed to fill the office was a Queen's Counsel, but after some time he resigned and was succeeded by the Solicitor to the Treasury. Previous to the creation of this office the sanction of the Attorney General had to be obtained, and if he exercised his discretion badly he could be brought to book and his conduct inquired into in Parliament. The conditions were not quite the same in the case of the Solicitor to the Treasury. He exercised his functions not at all in the public gaze, and, with all respect to the present holder of the office, he might not be exactly the person upon whom such a responsible duty as this should devolve. He was told that the exercise of this function in the hands of the Solicitor to the Treasury had become almost a matter of course. A number of highly respectable newspaper proprietors had forwarded him a statement on the subject, in which the reason given for their objection was that it had become notorious that since the passing of the Act of 1881 the *fiat* was granted almost indiscriminately. It was found that the Public Prosecutor issued his *fiat* without due inquiries, and almost as a matter of course. A case had recently come before him which was an instance of this. A newspaper had published a paragraph of some half-dozen lines in which it was said that a well-known jockey had "pulled" a horse. For this—which was no doubt libellous, but purely an imputation on private character couched in words not such as to excite to a breach of the peace—the Public Prosecutor granted his *fiat* and the matter was turned into a criminal proceeding, subjecting the proprietor to imprisonment. The practice of turning these libels on private individuals into criminal proceedings was one opposed to principles laid down by the greatest Judges, who had pointed out that, though a libel calculated to excite to a breach of the peace was a proper matter for criminal proceedings, yet that with cases of ordinary libels on private character the public had nothing to do, and the individual ought to be left to his civil remedy. This important power of turning a civil wrong into a crime ought to be exercised by some person responsible to the public, and he therefore proposed that it should be vested in the Attorney General or a Judge at Chambers.

Amendment moved, after Clause 8, insert as a New Clause—

"Section three of forty-fourth and forty-fifth Victoria, chapter sixty, is hereby repealed, and instead thereof be it enacted that no criminal prosecution shall be commenced against any proprietor, publisher, editor, or any person responsible for the publication of a newspaper or other publication, for any libel published therein without the written *fiat* or allowance of Her Majesty's Attorney Generals in England and Ireland respectively, or without the order of a Judge at Chambers being first had and obtained; application for such *fiat*, allowance, or order being made either to the Attorney General or to the Judge as aforesaid, but not to both.

That such application shall be made on notice to the person accused, who shall have an opportunity of being heard against such application."—(*The Lord Coleridge.*)

LORD HALSBURY said, that the Act of 1881, as originally drafted, conferred this power of granting a *fiat* in cases of prosecutions for libel against newspapers upon the Attorney General; but for some reason which he regretted

the Bill was altered and the power was placed in the hands of the Public Prosecutor. He agreed with the noble and learned Lord that this practice would best be discharged by the Attorney General, and so far he agreed with the new clause proposed by the noble and learned Lord. But that clause also proposed that the *fiat* of the Attorney General should be necessary before a criminal prosecution was commenced against the person responsible for the publication of a newspaper or "other publication." He could not agree to deprive private individuals of their right to take criminal proceedings for libel against other private individuals. This protection was, by the Act of 1881, only intended to apply to newspapers in the performance of what might be regarded as a public duty. That protection he could not agreed to extend. As to the other alterations which the clause would make they would be of a most mischievous charater.

THE EARL OF SELBORNE said, that the only ground on which a private person ought to be allowed in cases of libel to take criminal proceedings was that some public interest was involved. Certainly no private person, to whom a civil remedy was open, should be the judge in his own case of the propriety of preferring an indictment, and that he understood to be the principle of the Amendment.

LORD HERSCHELL said, he was inclined to agree with the view of the Lord Chancellor in regard to this matter. He did not regard it as important whether the clause was carried in its present form or not; but he could not agree that a libel against a man's character ought to be regarded as a mere private wrong. A man's character was at least as valuable to him as his money, and the civil remedy when it was attacked was often worse than worthless. The libeller might be hopelessly impecunious, and the injured man would by civil action only burden himself with costs. Then there were cases in which scandal was profitable, and the offenders readily found the money and repeated the offence. He could give many examples in which an indictment was the only efficient remedy open to the injured man.

LORD COLERIDGE said, he was willing to modify his clause so as to limit its application to libels published in newspapers.

Amendment made, after ("newspaper") by leaving out the words ("or other publication").

Clause, as amended, *agreed to*, and *added* to the Bill.

Clause 9 (Person proceeded against criminally, and the husband or wife of such person competent witness).

Amendment *moved* to omit Clause 9.—(*The Lord Denman.*)

Amendment *negatived.*

House resumed: Bill to be *printed* as amended; and House to be again in Committee on *Thursday* next. (No. 231.)

House adjourned at a quarter past Six o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 24th July, 1888.

MINUTES.]—*Resolutions in Committee*—Imperial Defence [Expenses]—*Resolutions* [15th May, 4th June] *reported.*

SUPPLY — *considered in Committee* — *Resolutions* [July 20] *reported.*

PUBLIC BILLS—*First Reading*—Lloyd's Signal Stations * [343]; Local Bankruptcy (Ireland) * [344]; Limited Partnerships * [345].

Second Reading — Members of Parliament (Charges and Allegations) [336].

Committee—Report—Third Reading—Forest of Dean Turnpike Trust [337], and *passed.*

QUESTIONS.

CRIMINAL LAW—ALLEGED MISCARRIAGE OF JUSTICE—CASE OF THE GORDONS.

MR. BRADLAUGH (Northampton) asked the Secretary of State for the Home Department, Whether his attention has been called to an apparent miscarriage of justice in the case of William Gordon and Duncan Gordon, convicted at the Old Bailey, on December 21, 1887, for having failed to deliver their books to the Official Receiver; whether a representative of the Official Receiver gave evidence at the trial that only one book had been delivered up; whether, on that evidence, the two

Gordons were convicted and imprisoned; whether it has since been ascertained that, at the time of such conviction, the books, for not delivering up which the Gordons were punished, were actually in the custody of the Department of the Official Receiver in Bankruptcy, and that any neglect was on the part of such Official Receiver; and, whether, as there is no appeal in criminal cases, he will advise the grant of a pardon to the two Gordons?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): My attention has been called to this case. These two men were convicted on an indictment containing 16 counts, of which one was failing to deliver up certain books and documents relating to their business at Rangoon. A representative of the Official Receiver gave evidence that only one book had been handed to him; and the other books mentioned in the indictment were never delivered to him. The two Gordons were convicted on all the counts in the indictment, and not on this evidence only. It had not since been ascertained that the books in question were actually in the custody of the Official Receiver. The books in his custody related to a business at Elgin, and were not referred to in the indictment. There was no neglect on the part of the Official Receiver. I cannot ascertain that there has been any miscarriage of justice in the case, nor that there is any reason to advise interference with the sentence.

MR. ANDERSON (Elgin and Nairn) asked, whether the right hon. Gentleman was aware that at the trial of this case evidence was given that the books had been kept back, and that only one book had been delivered up; whereas, in point of fact, at that time the whole of the books were in the possession of the Receiver?

MR. MATTHEWS: I have read to the House the Report I received from the Board of Trade. The Board of Trade distinctly contradicts that. I will, however, refer to the depositions, and see whether the Board of Trade has been deceived or not.

THE MAGISTRACY (IRELAND)—RESIDENT MAGISTRATES—"TEMPORARY APPOINTMENTS."

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the Chief Secretary to the Lord Lieutenant of Ireland, What are the names of the seven Resident Magistrates whose salaries appear in the Estimates with the words "temporary appointments" opposite; what was the date of each such appointment, and when does it expire; and who is the magistrate receiving £125 per annum as a personal allowance?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Eight temporary Resident Magistrates are provided for in the Estimates for 1888-9. Their names and dates of appointments are as follows:—J. F. Lynch, December 16, 1885; Hon. H. De V. Pery, February 5, 1886; John Preston, October 1, 1886; O'Neal Segrave, October 15, 1886; M. S. Tynte, August 22, 1887; F. G. Hodder, August 29, 1887; H. Caddell, January 17, 1888; W. H. Joyce, January 20, 1888. Each of these gentlemen is entitled to hold office so long as the requirements of the Public Service call for his employment. Mr. Thomas Hamilton is the Resident Magistrate who is in receipt of the personal allowance of £125. He receives this under a former arrangement made by the Treasury with him, whereby he consented to give up his appointment as a Resident Magistrate in order to become the head of a new Department dealing with matters relating to crime, on the understanding that if this appointment should be subsequently abolished he should be provided with other employment at the same rate of salary attached to the new office—namely, £800 a-year. The office was subsequently abolished, and Mr. Hamilton was re-appointed to the Resident Magistracy, with the stipulated salary of £800.

MR. CHANCE (Kilkenny, S.) asked, under what Act of Parliament the arrangement with Mr. Hamilton was made?

MR. A. J. BALFOUR: It was not made nnder an Act of Parliament, but under a Treasury arrangement.

MR. CHANCE wanted to know by what authority it was made?

MR. A. J. BALFOUR: I presume that the arrangement was sanctioned by the Appropriation Act; but I am not responsible for it. It was made in the time of Earl Spencer and Earl Cowper.

MR. T. M. HEALY (Longford, N.) said, he understood that the right hon. Gentleman had promised, when this

question was raised some time ago, that a Bill would be brought in to regularize this arrangement, which was illegal.

MR. A. J. BALFOUR said, he thought the hon. and learned Gentleman was alluding to the case of the Divisional Magistrates, and he believed there was a Bill of the kind indicated to be brought in; but that would not apply at all to this case.

INDIA—ADMINISTRATION OF JUSTICE —ALLEGED DEGRADING EXAMINATION OF A HINDOO GIRL AT PATNA.

MR. S. SMITH (Flintshire) asked the Under Secretary of State for India, Whether his attention has been called to the report of a case before Mr. T. M. Kirkwood, Judge of Patna, who in a case of alleged theft, on May 11, 1888, is stated to have subjected the plaintiff, a young Hindoo girl of 12, to a most degrading examination at the hands of a Mahomedan doctor, ostensibly for the sole purpose of testing her veracity; and, whether he will cause inquiries to be made; and, if the reports are confirmed, will take such measures as will effectually prevent the recurrence of such a case?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): Mr. Kirkwood appears to have ordered a girl of 12, who had accused a man of stealing, to be examined. He has been severely censured for this by the High Court of Judicature in Bengal, and the Lieutenant-Governor of Bengal has determined to remove him from the Judicial Service. It is stated that Mr. Kirkwood intends to appeal.

POST OFFICE—THE SAMPLE POST.

MR. S. WILLIAMSON (Kilmarnock, &c.) asked the Postmaster General, Whether he is considering favourably the strong desire which prevails among traders to extend to other persons the benefit of the Sample Post, from which they are now excluded?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The Inland Pattern and Sample Post was intended solely for the benefit of *bonâ fide* trade patterns and samples of merchandize, and its use cannot be extended to the public generally; but I am prepared, subject to the consent of the Treasury, to permit the return to the traders at the sample rates of packets of patterns, &c., forwarded by them to private individuals, and the manner in which such an arrangement can best be carried out is now being carefully considered.

TRADE, MANUFACTURE AND COMMERCE—STRIKES IN 1887.—LABOUR (CONDITION OF) IN THE STATE OF NEW YORK—STATE BOARD OF ARBITRATION.

MR. HOWARD VINCENT (Sheffield, Central) asked the President of the Board of Trade, If he can inform the House how many strikes there have been in the United Kingdom during the past 12 months; what was their average duration; and, in how many were the workmen successful in their contention? Also, If the right hon. Gentleman's attention has been called to the Report of Mr. Consul General Lane Booker, in the current number of *The Board of Trade Journal* on *The Condition of Labour in the State of New York*, and particularly to the statement—

> "That the counsel and advice of the State Board of Arbitration has been sought in many instances by both employer and employed, and, with few exceptions, settlements have been made without resort to strike or lock out;"

and, having regard to the advantage to the national prosperity of such a system, he will re-consider during the Recess the suggestion recently made for the establishment of a similar Board in this country?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, the Board of Trade have been unable, as yet, to obtain a satisfactory record of strikes in 1887. Circulars were sent to all the Trades Unions throughout the country early in the present year, but only 48 were returned, comprising a record of 26 strikes only. The Board of Trade have information of 45 other strikes, and there must have been many more. An attempt is now being made to keep a record of strikes as they occur, as well as to complete the information for last year as far as possible; but it is extremely difficult to obtain anything like a complete record. Out of the 26 returned by Trades Unions, 10 were returned as successful, 1 partially successful, and 15 unsuccessful. I hope to make this one of the subjects

of the Special Annual Report to be issued by the Board of Trade.

FISHERIES (IRELAND) ACT, 1863, SEC. 27—EX-OFFICIO CONSERVATORS.

MR. O'KEEFFE (Limerick City) asked Mr. Solicitor General for Ireland, Is it legal for magistrates in Ireland, who derive their qualifications as *ex officio* conservators under the 27th section of 26 & 27 *Vict.* c. 114, Fishery Act, 1863, to adjudicate in cases of alleged breaches of the Fishery Laws committed on waters adjoining their own lands; and, have there been any complaints in this respect from fishermen on the lower and upper parts of the River Shannon?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): Having regard to the provisions of the 11th section of 13 & 14 *Vict.* c. 88, magistrates are not disqualified from acting as such in fishery prosecutions by reason of their being *ex officio* conservators. No such complaints as those referred to have come to the knowledge of the Government.

POST OFFICE—NORTH BRITISH RAILWAY COMPANY — THE ARBITRATION.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked the Postmaster General, Who were the arbitrators in the recent arbitration between the Post Office and the North British Railway Company; what questions were referred to them; if the question whether there should be facilities for sorting letters between Edinburgh or Burntisland and Dundee was distinctly referred to them, and decided; or if they merely omitted to provide for any such service; whether, as the law now stands, in case a Railway Company places too high a value on services to be performed for the Post Office, the Government have power to insist on a reasonable service at a fair price; and, whether, if the Government have that power, he will use it to obtain that accommodation for sorting letters to which the inhabitants of Fife have been accustomed, and of the deprivation of which they complain; or, if the law does not give that power, whether he has watched the new Railway and Canal Traffic Bill with a view to obtain it?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The arbitrators were the Right Hon. John Blair Balfour, advocate, Queen's Counsel, and Member of Parliament, on behalf of the Railway Company, and Mr Alexander Staveley Hill, one of Her Majesty's Counsel and Member of Parliament, on behalf of the Post Office. The umpire was Lord Basing. The questions referred to them were two—(1) What remuneration should be paid by the Postmaster General to the Company for services required of the Company in connection with the conveyance of mails during the period of six months from the 1st of December, 1887, to the 31st of May, 1888; and (2) what should be the remuneration payable to the Company for services required in connection with the conveyance of mails subsequently to the 31st of May, 1888. No question respecting facilities for sorting letters between Edinburgh or Burntisland and Dundee in the future, or as to remuneration for such facilities, was referred to the arbitrators. As the law now stands, the only way of fixing remuneration for mail services, if a difference arises between the Post Office and a Railway Company, is to refer the matter to arbitration and abide by the award. I do not consider this mode of settling differences to be a satisfactory one; and I believe it would be to the advantage of the Railway Companies, as well as of the Post Office, if questions of remuneration for the carriage of mails could be referred to the Railway Commissioners. As I stated in reply to another hon. Member last week, I should be willing to consider any fresh proposal which the Railway Company may put before me in regard to the service between Burntisland and Dundee.

SIR GEORGE CAMPBELL asked the Postmaster General, whether, in the interests of the inhabitants of Fife, he would do something?

MR. RAIKES said, as regarded the interests of the people of Fife, no doubt it was very important that those interests should be considered; and he trusted that the Railway Company before long would be in a position to make a proposal which would be convenient for them.

M

METROPOLITAN BOARD OF WORKS COMMISSION—THE INQUIRY.

MR. WEBSTER (St. Pancras, E.) asked the Secretary of State for the Home Department, Whether he is aware that the inquiry respecting the Metropolitan Board of Works extends back to a period anterior to the election of more than half the present members, who have been elected since 1885, and that the substantial allegations against that Board have been in respect to matters which occurred prior to 1885; whether he can give any precedent in England or elsewhere for the unpaid representatives at a Central Council of the Local Authorities of various districts to have been called on to pay the costs of an inquiry, either in regard to counsel's fees, or in any other way respecting an inquiry into matters which occurred prior to their election, and over which by no possibility could they have had any control whatsoever; and, if it is the purpose of the Government to hold the present members of a Public Body responsible for those who preceded them?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am aware that the reference to the Metropolitan Board of Works Commission was unlimited in respect of time; and the fact that inquiry might be made into matters which occurred prior to the election of some of the present members of the Board would not have justified the Government in restricting the scope of the inquiry, and Parliament did not think fit to do so. I am not aware that any Member of the Board has had to bear personally any expenses arising out of the inquiry. It is for the Royal Commissioners, and not for the Government, to determine whether the present members can to any extent, if at all, be held responsible for any action of their predecessors.

EAST INDIA—THE CONTAGIOUS DISEASES ACT.

MR. JAMES STUART (Shoreditch, Hoxton) asked the Under Secretary of State for India, Whether he has received any communication from the Government of India respecting the Resolution of June 5 last, by which this House expressed unanimously its opinion that the Indian Contagious Diseases Act, and all other legislation in that country which enjoins, authorizes, or permits similar measures, ought to be repealed?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): No reply has yet been received to the despatch of the Secretary of State in Council on this subject.

BRITISH GUIANA—PETITION FOR A RAILWAY.

MR. WATT (Glasgow, Camlachie) asked the Under Secretary of State for the Colonies, Whether the Government have received a Petition, signed by the principal merchants and leading inhabitants of the Colony of British Guiana, praying for the construction of a railway to the North-Western Frontier; and, whether he is prepared to state what action, if any, the Government propose to take, so as, if possible, to comply with the wishes of the Colonists?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham) (who replied) said: No such Petition has been received at the Colonial Office.

NAVY—NAVAL MANŒUVRES—CHARTS.

SIR JOHN COLOMB (Tower Hamlets, Bow, &c.) asked the First Lord of the Admiralty, Whether he will cause a chart showing the area within which the naval experimental operations now being carried on are to be conducted; and, whether he can arrange for the attendance of an officer from the Naval Intelligence Department to indicate on the chart, by distinguishing pins or by other means, the positions of the ironclads and cruisers comprising the Squadrons, so far as they can be ascertained, at noon each day?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): I have instructed the Hydrographer to furnish the Librarian of the House with copies of charts of the British Isles and of Lough Swilly and Bantry Bay. It is, however, quite impracticable, as the hon. and gallant Gentleman will admit, to predict the movements of the two Fleets, which depend upon the discretion of the Commanders-in-Chief, or to assign the probable locality of ships in constant movement, and whose position, both actual and relative, varies from hour to hour.

PUBLIC MEETINGS (IRELAND) — ORANGE DEMONSTRATION AT ENNISKILLEN—THE QUEEN'S REGULATIONS.

MR. W. REDMOND (Fermanagh, N.) asked the Secretary of State for War, Whether he is aware that the sergeant-major of the regiment now in Enniskillen attended on the platform of the Orange demonstration in that town on July 12?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): No, Sir; I am not aware of it. I am informed, on the contrary, that the sergeant-major was not on the platform on the occasion referred to.

MR. W. REDMOND: I wish to ask the right hon. Gentleman whether, if I can produce a photograph of the platform in which the sergeant-major in question appears a prominent figure among the leaders of the Orange party on that occasion, he will order an inquiry, and have this man rebuked? I may inform the right hon. Gentleman that the platform was photographed, and that photograph is now selling in the streets of Enniskillen; and prominent amongst those on the platform is this sergeant-major.

MR. E. STANHOPE: This Question appeared on the Paper this morning. A telegram was sent to Ireland, and the answer which came back from the sergeant-major is that he was not on the platform.

MR. W. REDMOND: May I ask the right hon. Gentleman whether he will inquire again if I show him the photograph with the sergeant-major in it?

MR. E. STANHOPE: If the hon. Gentleman shows me the photograph, I will see about making further inquiries.

ADMIRALTY—THE DOCKYARDS—DISCHARGE OF SHIPWRIGHTS FROM SHEERNESS DOCKYARD.

MR. KNATCHBULL-HUGESSEN (Kent, Faversham) asked the First Lord of the Admiralty, Whether it is true that a still further discharge of shipwrights from Sheerness Dockyard is contemplated; and, if so, how many?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): We have found that the number of shipwrights at Sheerness is in excess of the wants of the Establishment, and that another class of labour can, with advantage, be substituted for the more highly paid workmen. We are now considering this question; but no decision has as yet been arrived at.

TRADE AND MANUFACTURE—THE NAILERS AND SMALL CHAINMAKERS OF SOUTH STAFFORDSHIRE—MR. BURNETT.

MR. BROOKE ROBINSON (Dudley) asked the President of the Board of Trade, When it is probable the engagements of Mr. Burnett, the Labour Correspondent of the Board of Trade, will enable him to commence the proposed inquiries into the positions of the nailers and small chainmakers of South Staffordshire and East Worcestershire?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.): When the Labour Correspondent has completed other necessary work he will inquire into the position of the nailmakers and small chainmakers in South Staffordshire.

POST OFFICE—CONVEYANCE OF LETTERS BY RAIL.

MR. D. A. THOMAS (Merthyr Tydvil) asked the Postmaster General, If he can state the result of the inquiry by the Departmental Committee into the conveyance of letters by rail which have not passed through the post; and, what steps are being taken to remove the inconvenience to the public caused by the instruction to Railway Companies to discontinue the practice of carrying letters as parcels?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University), in reply, said, the Report of the Departmental Committee was now under consideration, and he was consequently not yet in a position to indicate the course which he might find it desirable to adopt; but he hoped soon to be able to do so. He fully appreciated the importance of giving every facility to the public for the transmission of their correspondence.

PUBLIC MEETINGS (IRELAND) — ORANGE DEMONSTRATION AT ENNISKILLEN—COLONEL KINLOCH.

MR. W. REDMOND (Fermanagh, N.) asked the Secretary of State for War, Whether he is aware that Colonel

Kinloch, commanding the troops in Enniskillen, attended an Orange meeting in that town on July 12 last, and wore an Orange badge; and, whether steps will be taken in future to enforce the Military Regulations, which forbid officers from taking part in such demonstrations?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle), in reply, said, that since he answered this Question he had received a letter from Colonel Kinloch, commanding the troops at Enniskillen, in which he entirely contradicted the statements of the hon. Member. Colonel Kinloch repeated his denial of having taken any part in the orange meeting, and further denied that he wore any Orange badge when watching the procession in the streets.

MR. W. REDMOND: Might I point out to the right hon. Gentleman that Colonel Kinloch may not have worn an Orange badge; but did he wear a yellow ribbon? He may not call it an Orange badge. But did he wear anything yellow in his hat?

MR. E. STANHOPE said, he could give the hon. Member some particulars about Colonel Kinloch's dress. He was wearing a green tie, and he had in his hat a small scarlet pheasant's feather.

POST OFFICE (SUBURBAN DELIVERIES)—KENTISH TOWN AND CAMDEN TOWN.

MR. LAWSON (St. Pancras, W.) asked the Postmaster General, Whether his attention has been drawn to the complaints of constant delay in the transmission of letters in a portion of the North-Western District; why this District has been transferred from the town delivery of the District Office to the delivery of the Kentish Town Sub-Office; whether the deliveries from that Office are fewer than from the Head Office; and, whether this change, which has caused much inconvenience to the inhabitants, is to be permanent?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): I have to state that it was found expedient some months since to transfer a portion of the Camden Town Postal District to the Kentish Town District, because the locality was much nearer to the Kentish Town Office, and, consequently, the letters could be delivered earlier from there than they could be from Camden Town. A further advantage was that some of the postmen could be withdrawn from the Camden Town Office, which, owing to the growth of the work, had become too small to accommodate the whole of the staff. The number of deliveries is the same as under the previous arrangement; and I am informed that, although there was some delay in the delivery of letters at the outset, the new arrangement is now working satisfactorily.

AGRICULTURAL LABOURERS' UNION—ALLEGED MISAPPROPRIATIONS.

MAJOR RASCH (Essex, S.E.) asked the First Lord of the Treasury, Whether the Government will cause an investigation of the Agricultural Labourers' Union, in order to prevent further misappropriation, in accordance with the terms of a Resolution passed at a meeting of leaders and friends of the Union, held in London, on Friday, July 13?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am informed that the Agricultural Labourers' Union is not a Friendly Society, but a Trades Union; and, under these circumstances, the Government have no legal power to direct an investigation into its affairs.

STATUTE LAW REVISION.

MR. HOWELL (Bethnal Green, N.E.) asked the First Lord of the Treasury, Whether it is a fact that the Statute Law Committee are desirous of seeing the several Acts recited in the Schedule to the Statute Law Revision (Master and Servant) Bill repealed, in order that the earlier volumes of the new edition of the Revised Statutes shall be purged of these now obsolete or unnecessary enactments; and, whether the Government concur in the desire to see those Acts repealed; and, if so, whether they will give facilities for the passing of such Bill during the present Session?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, he believed the facts stated in the earlier part of the Question were correct. It was also true that the Government concurred in the desire of the Committee; but it was quite impossible for the Government, at this period of the Ses-

sion, to undertake to give facilities for Bills promoted by private Members.

BUSINESS OF THE HOUSE—UNIVERSITIES (SCOTLAND) BILL AND BAIL (SCOTLAND) BILL.

MR. HUNTER (Aberdeen, N.) asked the First Lord of the Treasury, On what day he will take the second reading of the Universities (Scotland) Bill and the Report stage of the Bail (Scotland) Bill; and, whether, in the meantime, he will see that those Bills are not put down on the Notice Paper on days on which it is not intended that they should be proceeded with?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, he was not at the present moment in a position to indicate the day on which these Bills would be taken; but he would endeavour to make arrangements for the purpose, and give adequate Notice to hon. Members who took an interest in Scotch Business. He fully recognized their right to claim a day for the consideration of Scotch Bills.

MR. HUNTER said, Scotch Members were most anxious that the Bills should not be put down on the Orders of the Day on those days when it was not intended by the Government to proceed with them.

MR. W. H. SMITH reminded the hon. Gentleman that if the Bills were not placed on the Orders they would drop altogether. He would undertake to give Notice of the day when they would be taken, so as to avoid inconvenience to hon. Members.

MR. BUCHANAN asked whether the Bills would be taken before the adjournment or in the Autumn Session?

MR. W. H. SMITH said, he had every hope that they would be taken before the Adjournment.

BUSINESS OF THE HOUSE.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked the First Lord of the Treasury, When the Local Courts of Bankruptcy (Ireland) Bill would be taken?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I will endeavour to consult the convenience of the House as to the day the Committee shall be taken, and certainly adequate Notice shall be given.

MR. LABOUCHERE (Northampton) asked, Whether, in the event of the Members of Parliament (Charges and Allegations) Bill passing its second reading this evening, he would put it down for a certain date, in order to give an opportunity for Members to put down any Amendment they might wish before going into the Committee stage?

MR. W. H. SMITH said, that the second reading would be fixed for Monday next.

LOCAL GOVERNMENT (ENGLAND AND WALES) — DISTRIBUTION OF THE PROBATE GRANT.

In reply to Mr. HENRY H. FOWLER (Wolverhampton, E.),

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, that he had given instructions for the preparation of statements showing the amount each county would receive of the Probate Grant, both under the old system and under the new.

EVICTIONS (IRELAND) — THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE.

MR. SHEEHY (Galway, E.), referring to an answer given on Monday by the Chief Secretary as to the Vandeleur evictions, said, he desired to put a Question to the right hon. Gentleman by way of personal explanation. The right hon. Gentleman stated that he (Mr. Sheehy) was not allowed within the cordon of police because he had incited the tenants to resistance. He now asked the right hon. Gentleman to cite his authority for that statement?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): If the hon. Gentleman had asked me the Question yesterday, I should have been glad to reply to it; but to-day I have not brought to the House the speeches to which I alluded in my answer, and therefore I must ask for Notice of the Question.

MR. SHEEHY: I will repeat the Question to-morrow.

BUSINESS OF THE HOUSE—BANN, BARROW, AND SHANNON DRAINAGE BILLS.

MR. W. A. MACDONALD (Queen's Co., Ossory) asked the Chief Secretary to the Lord Lieutenant of Ireland,

Whether he was in a position distinctly to state to the House what his intentions were with regard to the Drainage Bills? He might, perhaps, remind the right hon. Gentleman that one of those Bills—that for the drainage of the Barrow—had met with a great deal of approval in that House, and he, for one, was very anxious to see it passed into law.

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, that his intention was the same as it had always been, to pass them into law as rapidly as possible. He was sorry he could not say that the approval of the Barrow Drainage Bill felt by the hon. Member was shared by his Friends.

MR. FLYNN (Cork, N.) asked, what authority the Chief Secretary had for his last statement, that the objection was mainly coming from that side of the House?

MR. A. J. BALFOUR could only say that the discussion of the Bills had been objected to by hon. Gentlemen on that side of the House.

MR. FLYNN: That was after 12 o'clock.

MR. W. A. MACDONALD said, he was not responsible for the action of other hon. Members. What he wanted to know from the Chief Secretary was whether he would put down the Bills at such a time as would permit of reasonable discussion?

MR. A. J. BALFOUR said, he put them down every day, and they could be reasonably discussed perfectly well after 12 o'clock if the hon. Member and his Friends would abstain from objecting.

BUSINESS OF THE HOUSE.

In reply to Mr. CHILDERS (Edinburgh, S.),

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, that the Government proposed to put down to-morrow, not the Civil Service Estimates, but such Government Bills as were not disposed of to-night.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—THE MILTOWN MALBAY ALLEGED CONSPIRACY.

MR. CLANCY (Dublin Co., N.) said, he wished to ask the Chief Secretary to the Lord Lieutenant of Ireland a Question which required one word of explanation, which he hoped the right hon. Gentleman would give. The other day he asked the right hon. Gentleman whether there was any evidence in the Miltown Malbay conspiracy cases—any evidence of the conspiracy of which those men were found guilty—namely, a conspiracy to compel certain people not to buy or sell with certain other people. He answered that there was such evidence. He had since read the depositions, and they contained no such evidence whatever; and he wanted to know from the right hon. Gentleman would he produce those depositions to the House?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, that there was evidence other than that taken in the depositions which were brought forward on appeal; but, in any case, he should adhere to the rule which he had laid down not to produce the depositions.

MR. J. E. REDMOND (Wexford, N.): Are we to understand that, on appeal, different evidence and additional evidence was given from that which appears on the depositions?

MR. A. J. BALFOUR: I do not personally retain the particulars of these cases in my mind; but my hon. and learned Friend the Solicitor General for Ireland has just told me that there was.

MR. CLANCY: I beg to give Notice that when the Estimates come up, I shall press for the production of these depositions; and if the Government does not supply official and authentic copies of them, I shall read them *in toto* to the House.

PRISONS (IRELAND) — TULLAMORE GAOL—THE LATE MR. JOHN MANDEVILLE.

MR. ANDERSON (Elgin and Nairn): I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland the following Question, of which I have given him private Notice. By what person, or persons, was the Governor of Tullamore Gaol directed to deprive the late Mr. Mandeville of his clothing in the middle of a night in November last; and whether this step was taken with the knowledge of the Government?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply,

said, he believed this question of Prison Rules and prison discipline was one that was being brought before the Coroner at the inquest which was now sitting; and until that inquiry was concluded it would be better that he should make no statement with reference to the matter.

ORDERS OF THE DAY.

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MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.—[BILL 336.]

(*Mr. William Henry Smith, Mr. Secretary Matthews, Mr. Solicitor General.*)

SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [23rd July], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

MR. LABOUCHERE (Northampton) said, that there could be no doubt that the aim and object of this Bill was to inquire into certain charges and allegations which had been made against certain Members of Parliament. In these circumstances he objected altogether to the appointment of the proposed Commission, because he believed that it would create a precedent which would be fraught with danger in the future. If this Commission were to be appointed the result would be that, in the heat and passion of Party politics, in the future similar Commissions would be frequently appointed with the object of inquiring into the conduct of hon. Members. The House already possessed an ample disciplinary power over its own Members, and if any hon. Member was charged with conduct affecting the dignity and honour of that Assembly the House ought to exercise its disciplinary power by appointing a Committee of its own to inquire into the matter. As far as he could gather from the practice of the House—as laid down by that eminent authority Sir Erskine May—that was the course which ought to be pursued. Sir Erskine May stated that when any allegation made against any hon. Member had been confirmed by a Court of Law the House might act upon it, but that if it had not been brought before a Court of Law the House ought to investigate the matter for themselves by means of a Committee of their Members, and that they ought not to delegate such inquiry to any other tribunal. This Commission would not have been thought of for a moment unless the action of Members of Parliament had been called into question. Of that fact the right hon. Gentleman the First Lord of the Treasury was perfectly aware when he said, in the course of his speech on introducing the Bill, that its acceptance or rejection lay with the hon. Member for Cork. As the Bill stood, however, the inquiry would include everybody, every place, and every date. What were the pleas that had been put forward by the Government against the appointment of a Committee of that House to inquire into these charges and allegations? It was said that hon. Members appointed on the Committee would be biased in their judgments in accordance with their Party views. And yet the Government had pressed upon the hon. Member for Cork that he ought to go before a Middlesex jury, as though the latter would not be equally biased in their minds by their political prejudices with Members of that House. Two precedents had been cited by the Government for the appointment of a Commission of Inquiry. The first was that which had been appointed to inquire into the action of the Metropolitan Board of Works. But, in his opinion, there was no analogy between the two Commissions. The Metropolitan Board of Works had been created by that House, and it was the guardian of the public money, and there was a Bill actually before the House for its abolition. In such circumstances it was perfectly reasonable that such a Commission should be appointed to inquire into the action of that Body. The next precedent was that of the Commission on the Sheffield outrages. That again was a different case, for it was not known by whom the outrages had been committed, and no names were mentioned in the Instructions to the Commission. Most assuredly no Member of Parliament was supposed to be affected. He could well understand that if, directly after the unfortunate murder of Mr. Burke and Lord Frederick Cavendish, or after the dynamite explosions in London, it had been proposed to appoint such a Commission, no objection would have been raised against that step being taken. They did not, however, do so; and now they made the proposal simply for their own Party purposes. A great deal of clap-

trap had been uttered in the course of that debate with regard to juries which would scarcely have any weight with the lowest common jury at the Old Bailey. In private matters, no doubt, juries might be trusted, but it was very doubtful whether they would be fair where their political passions were concerned. They were, however, no worse in that respect, because on the occasion of the trial of Queen Caroline—who was accused of certain acts—all Liberal Peers voted one way, and all the Conservative Peers the other, following strictly their Party lines. Doubtless, if the charges against the hon. Member for Cork were submitted to a Middlesex jury, the result would be that no verdict would be given; because, although the majority of the jurymen might be against the hon. Member, there might be one sane and sound Nationalist upon the jury. If the innuendo against his hon. Friend, that he must be guilty, that he had something to conceal, be fair and legitimate, it surely was applicable to all Members of the House. There was a journal known to many hon. Gentlemen opposite—*United Ireland*—which had made accusations again and again against the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) and against other Members of Her Majesty's Government, far more strong than any which had been made by *The Times* against the hon. Member for Cork and his Friends. Did hon. Gentlemen opposite consider that the right hon. Gentleman the Chief Secretary for Ireland was guilty because he refused to bring an action against *United Ireland*, or did they consider that *The Times* was a sort of sacred institution; and that if it made an accusation that accusation must be true, but that if another newspaper made an accusation it need not be true, although those accused did not choose to bring any action? Those innuendoes against his hon. Friend for not bringing an action against *The Times* came with a singularly bad grace from Her Majesty's Government. What had happened in Ireland to those Gentlemen who were bragging about their love of juries? There was an Act passed some time ago called "The Packing Act," to enable the authorities to pack juries in Ireland. The Attorney General for Ireland (Mr. Peter O'Brien) passed in Ireland by the name of "Peter the Packer." It was notorious that where they found in Ireland a population, nine-tenths of which were Catholics, there was such a disposition to regard any Catholic as necessarily a man whose politics were not sound from the Government point of view that the whole of the juries consisted of Protestants. All this, however, was not enough. The Government had brought in an Act to suppress those very juries which they said were the bulwark of the Constitution. They suppressed the juries because they thought the national feeling was so strong that it would be impossible for them to get a verdict if they were to prosecute. But in London the anti-national feeling was very strong. Hon. Gentlemen opposite were always boasting of it; therefore he thought it was hardly surprising that his hon. Friend did not go before a Middlesex jury on this political issue. In fact, he should have lost all respect for his hon. Friend's common sense had he done so. He should like to know whether the right hon. Gentleman the Chief Secretary for Ireland would submit his honour, good name, and reputation to an Irish jury? No; he would not. It would be remembered that the right hon. Gentleman libelled an unfortunate midwife. She brought an action for libel against the right hon. Gentleman; was he ready to submit his case to a jury? Not a bit of it; he pleaded privilege, and ran away.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. SPEAKER *reported* the *Royal Assent to* several Bills.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.

Question again proposed, "That the Bill be now read a second time."

MR. LABOUCHERE, resuming, said, that suggestions had been made on the Opposition side of the House that Ministers had made a change of front on the matter—that last year they had said that it was absolutely impossible that they could grant any sort of Commission or other tribunal, and that his hon. Friend ought to go before a jury. Now they said that they would grant him a Commission of Judges. He was not in the least surprised at the change of front of the Go-

vernment. They were always changing front. But he was surprised at the reasons which they gave for the change. They said that a new light had come upon the matter in consequence of the statements made by the hon. and learned Attorney General as Counsel for *The Times* in a Court of Justice. What that new light was he did not quite understand until the right hon. Gentleman the Home Secretary explained it by stating that the charges in Court were alleged under an absolutely exclusive privilege, because nobody could sue the Attorney General or any Counsel at Law for anything he had said in a Court of Justice. Now the only new charge was the second letter read by the hon. and learned Attorney General. He (Mr. Labouchere) thought he had as low an opinion of *The Times* as it was possible for any Member of that House to entertain; but he was bound to say that he had not so low an opinion as the right hon. Gentleman the Home Secretary had. He did not believe that if *The Times* were sued by his hon. Friend for that second letter they would plead privilege after the manner of the right hon. Gentleman the Home Secretary, and would say that they were not liable because the letter had been read in Court and had not appeared in their paper. It was perfectly surprising that Gentlemen calling themselves Ministers of the Crown should come down to the House, and urge such twaddling, pettifogging objections as that. His hon. Friend the Member for Cork had asked for a Committee to investigate certain charges made against him by *The Times*. The reply of the Government was that they were perfectly ready to give a Commission, but not what was asked for by his hon. Friend. They wanted not only to investigate these charges that had been made, but also to go into the conduct of everyone who in any sort of way in any country in the world had been connected with the National movement in Ireland, and that, not in the last two or three, but in the last 10 years. The Commission was to investigate, not what they on the Opposition Benches would term crimes, but what Ministers termed crimes—Boycotting and the Plan of Campaign—for which those on the Opposition side of the House honoured and respected the Irish Members for having initiated. They were to investigate as to whether those Gentlemen had been associated with anybody who might have been a member of some other association, which was not the Land League, but which, perhaps, was some doubtful association. Let them consider what construction was to be put upon speeches of hon. Members of that House. They did not want a Judge for that kind of thing, and they did not want a Commission. Most of the things alleged they were prepared to admit and to glory in. But, so far as the construction to be put upon these things went, they considered themselves as good, and perhaps better, judges than any three judicial gentlemen in the country, especially if they were to be estimated by those Gentlemen who sat on the Treasury Bench. This Commision was to have full powers not only to call witnesses, but they were positively to give indemnity to any ruffian who might come forward and incriminate himself, provided that he was so accommodating as to incriminate somebody else. This was essentially a fishing Commission, proposed in order to find evidence for *The Times*—not for the particular charges brought by *The Times*, but for the general invective of that paper; and it was intended by appointing it to evade all the particular questions which on that side of the House they wanted to raise. There were good reasons why Mr. Egan and Mr. Byrne should not appear in this country, and yet in their absence it was proposed to investigate their letters and conduct. It was obvious that persons whose names had been brought into the matter would have to be represented by counsel, and this would cause enormous expense. Then they had a right to complain that there would not be the ordinary safeguards and securities which usually environed persons who were charged, and also that the charges had not been specified. What did they mean by specification of charges? If he charged the hon. and learned Attorney General with being a murderer—[Sir RICHARD WEBSTER: You have.]—if he charged the hon. and learned Attorney General again with being a murderer and the hon. and learned Gentleman sued him for libel, the hon. and learned Gentleman would have the right to ask him to state whom he had murdered, when the murder was committed, and under what circumstances; and the object would be to prevent a general accusation going before the Court upon

which counsel might inquire into the whole life of the hon. and learned Attorney General. What was meant by requiring specification was this—they wanted to know the when, the where, and the how of the charges made against Members; they required these guarantees to be given to the accused; and it would not be a fair trial unless these guarantees and securities were given. When an action for libel was brought the plaintiff could call for the discovery of documents, and could claim to have access to them; and the reply of the hon. and learned Solicitor General to this demand was that witnesses might be tampered with and possibly be murdered; and so rules were laid down that would protect the accused, and it was not intended there should be a fair trial, because *The Times* would find it not only difficult but impossible to answer the interrogatories that litigants were ordinarily subjected to. He had often admired the effrontery of Her Majesty's Government, but never more than when it was said that this Commission was granted at the wish of the Irish Members, and in particular of the hon. Member for Cork. At first it was said that if the Irish Members objected to the Bill it would be dropped; but that idea was given up. The hon. Member for Cork did object to the provisions of the Bill, but it was to be forced through the House. It was said that the hon. Member wanted to dictate to the House the sort of Commission to be appointed, and *The Times* was indignant at the idea. But other hon. Members did not want the hon. Member for Cork to decide everything; they only wanted the Commission to follow the ordinary usages of Law Courts. They objected to all questions being settled by *The Times*, and to the late Counsel for *The Times* arranging with the Government the scheme which would allow *The Times* to throw as much mud as possible. There were two important issues raised; and the first related to a letter alleged to have been written by the hon. Member for Cork, the authorship of which it was admitted would disqualify him from association with honourable men. If that letter had not been put forward the series of articles would have been forgotten, like many other pamphlets on the Irish Question. The primary object of the Commission should be to inquire into the genuineness of that letter. But they were met *in limine* with this difficulty—that *The Times* said that it would not disclose the source from which that letter came, and in the course of the recent trial it was said the source would not be disclosed if the refusal cost *The Times* the verdict. The suggestion was that the life of the person who furnished it would be in danger. Was *The Times* going to disclose the source of that letter? If not, how could there be a real investigation? The hon. Member for Cork could not prove a negative. As to the evidence of experts, it could not be important in this case on one side or the other. They could not prove complicity in a particular crime by citing a speech construed to amount to advocacy of murder in general; and although such speeches might be confirmatory evidence when a specific charge was established, yet in this case they must show the source of the letter to enable the hon. Member to deal with the question of its authenticity. If this was not done the inquiry would be an absolute farce, although it would cost thousands to the country and deprive it of the services of three Judges for a long time. How was it that the Bill was one only for an inquiry into the charges made against Irish Members? It ought to have been one of inquiry into the charge made against *The Times*, that it had been accessory to the publication of a forged letter. Was that charge to be inquired into? If it were to be, and if the hon. Member would have the right to ask the Commission to call witnesses who might be committed to prison if they refused to answer questions, then one great objection to the Bill would be removed. If that could not be done, then the inquiry would be all humbug and illusion. No inquiry was needed into Boycotting, the Plan of Campaign, and things of that sort; but inquiry must be directed to crimes that would render a man unfit to sit in that House. As it was, the Commission was framed by *The Times*' Counsel and the Government to provide *The Times* with cogged dice in order to play the game against the hon. Member for Cork. Their object was to occupy the attention of the public mind during the Autumn with long reports of sensational and lying evidence of matters which had occurred, or had not occurred, years ago. They wished

to divert attention from what was now going on in Ireland. What the Opposition wanted was an investigation into the charges against the criminals of the moment—against the Government. They wanted to know about Mitchelstown. They wanted to know about Mandeville, and about the poor doctor; they wanted to know about that poor man who was the instrument of the tyranny of the Government, and who cut his throat rather than dare to go into the witness-box. They wanted to know about these iniquities, these villainies of the Government. Ministers were wise in their day and generation in trying to divert attention from these things, but the Opposition would be wrong in allowing them to do so. Mr. Pecksniff himself might have envied the hon. and learned Solicitor General's remark, that Gentlemen on the Irish Benches ought to be thankful for the unprecedented generosity of Her Majesty's Government in granting this Commission. This particular Commission was simply a trap which they were asked to be foolish enough to walk into. The Government had exhibited no generosity to Irish Members, who asked for bread and were given a stone. He had put down a Motion on the Paper to read the Bill a second time that day six months; but the hon. Member for Cork, who was accused every day by *The Times* of trying to shirk the investigation, was so exceedingly anxious to have the opportunity of going before any tribunal, and of declaring on oath that he never wrote those letters, and was not accessory or privy to crimes, that he urged him (Mr. Labouchere) not to move the Amendment. He did not believe they would alter the Commission in any way, because the Government would not dare to do it. *The Times* would keep them up to the mark, and would not allow them to alter it. The Government were simply the slaves of *The Times*. Perhaps they would send for Mr. Walter, as they did before; but he would not be very anxious to alter it, because, as it stood, it was a good deal too favourable to himself. But if the Bill were not amended in Committee, he really thought the Opposition ought, at the third reading, seriously to consider whether they ought not to protest against the Commission, and refuse to accept it any way, so as not to allow the hon. Member for Cork to walk into a trap—to be treated so unjustly and unfairly as he would be by such a Commission. For his own part, he had always thought that a very exaggerated importance was given to these charges in *The Times*. Take the letters. His hon. Friend denied that he wrote them. Obviously *The Times* must have got them from a man who was either a thief or a traitor; he might have been a forger. All the evidence they had got was that of a man who said—"I am a thief, or I am a traitor, but I am not a forger." Was the evidence of such a person to weigh for one moment against the assertion of his hon. Friend, or against the assertion and denial of any Member of that House? Of course not. Why, they would not hang or try a dog on such evidence. Take the charge of his hon. Friend the Member for Cork and his Colleagues being accessory or privy to crime. He had read all through *Parnellism and Crime*, and the long speeches of the hon. and learned Attorney General; but he could not find a tittle of evidence to support the charge. There was nothing but a series of speeches made by his hon. Friend, and comments made upon those speeches by *The Times*, or the hon. and learned Attorney General acting for *The Times;* and what had they got against this? They had the evidence of Lord Spencer and of the right hon. Gentleman the Member for Derby (Sir William Harcourt), who was Home Secretary, and they both said they could find nothing to connect the Irish Members in any sort of way, directly or indirectly, with the perpetrators of crime. Then the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley), who had been Irish Secretary, stated the other day that he could not find one iota of evidence against them. He had asked the permanent officials at the Castle—men who were more or less against the Nationalist Members—and they told his right hon. Friend that they were absolutely and entirely convinced that the persons accused were in no sort of way accessory or privy to outrages or crimes. He perfectly understood the anxiety of his hon. Friend (Mr. Parnell) to have an opportunity to vindicate his character. He honoured and respected him for it; but he would urge him seriously to consider whether this Commission would really give him the opportunity of clearing himself of the charges that were made against him? His own

impression was that it was carefully and insidiously designed to prevent it. His impression was that it was a plan of the Government carefully and insidiously designed to enable *The Times* to ride off upon a false issue, and that it was intended to enable every scoundrel and ruffian who liked to come forward to vilify and abuse his hon. Friend under cover of a Court of Justice with a bill of indemnity before him to protect him from the consequences.

MR. ELLIOTT LEES (Oldham): May I be allowed, as a young Member of this House, to make a few remarks upon this question; for I think it affects the young Members of the House more than any others; because, even if the character of this House should deteriorate, those who have been here for many years will not forget that they have been Members of Parliament in times when that title was one of the most honourable that an Englishman could bear. But for the younger Members there will be no such consoling memories. They stand upon the threshold of public life; and it is a matter of grave consequence to them to know what may be the character and reputation of those with whom their future public life may have to be passed. ["Hear, hear!"] I am not surprised at hon. Members opposite jeering at that statement; but if Providence and our constituencies are kind to us, we, the young Members, may remain in this House for years, and it is of importance to us to know that the House and its Members shall continue to bear as high a character in the future as they have done in the past. I appeal, therefore, to hon. Members opposite not lightly to reject, hamper, or obstruct the offer which has been made to them by the Government. I rejoice to hear from the hon. Member for Northampton (Mr. Labouchere) that the hon. Member for Cork (Mr. Parnell) has asked him to withdraw his Amendment for the rejection of the Bill, although he says that an attempt may be made to modify the Bill in Committee; but all the arguments of hon. Members opposite have been directed to show how very easily they could disprove these charges in a Court of Law. Then why not take the opportunity? Why not accept the offer of the Government? Why not go before the Commission and disprove the charges which have been made against them? It may be true that the strongest part of the case is the letters which are said to have been written by the hon. Member for Cork. Hon. Members opposite say—"You are going to put a lot of matter into the inquiry, and the letters will be burked and stifled in the midst of it all, while the point to which the country is looking is that of the letters." I fully admit the force of that objection; but, on the other hand, if they can succeed in disproving the genuine character of these letters they would cause a tremendous revulsion of feeling in the country. Let them then face the inquiry, so as, in the first place, to disprove the letters, and then let the Government, if they like, go into all the extraneous matters. Let me point out to the House that this question is in a very different position now from that which it occupied last year. Last year a letter was published in *The Times*, which, if true, implicated the hon. Member for Cork as a sympathizer in one of the vilest—one of the foulest—murders that has ever made history blush. This year letters have been published which directly charge him with being personally implicated in that crime, either as accessory before or after the fact. ["No, no!"] The hon. Member for Northampton says "No;" but the hon. Member for Cork himself seems to be of a very different opinion. Last year the charges were made only in *The Times* newspaper, which is published at the price of 3*d.*, and therefore does not circulate largely amongst the working classes in the North of England and the great centres of thought in the manufacturing districts; and owing to that very silly newspaper etiquette, which is founded, I suppose, upon jealousy, the other great daily newspapers made very little of these charges, and did not half put them before the people of the country. This year, however, things stand upon a very different footing; for these charges have been made directly in a Court of Law, have been blazoned forth throughout the length and breadth of the country, and have in every part of the country excited public interest to the very highest pitch. Hon. Members opposite will, therefore, find that these are charges which it is no longer safe, honourable, or wise to ignore. If they are innocent, as they say they are, and as the House must assume that they are, they have everything to gain and nothing to lose by

submitting to this inquiry. One would naturally suppose that their first impulse would have been to go into a Court of Law, and sue *The Times* for heavy damages. Just imagine what enormous damages they could have got out of a wealthy newspaper like *The Times*. Hon. Gentlemen opposite do not always refuse money for the purpose of carrying out their political projects or crotchets. In fact, none of us do that. We have heard a great deal lately, I think, of a gift of £5,000 by a Mr. Rhodes to the Irish Parliamentary Party. [*Cries of* "It was £11,000."] Well, £11,000, and that, I suppose, is a very welcome addition to their funds. But what a mere fleabite is £11,000 compared with the damages which hon. Members might obtain from *The Times* newspaper! Well, there is still a chance for hon. Members opposite. If they accept the offer of the Government, of a Commission to examine into these charges, and if they prove before that Commission that these charges are untrue, where is the Judge and where is the jury that would go against the decision of the Commission, or refuse to hon. Members the most exemplary damages? Hon. Members opposite cannot, it appears, trust an English jury. Well, that is very strange, coming from men who have just been boasting of the great sympathy which exists among the English democracy with their cause. If they have no confidence in English juries, they might bring their action in the Dublin Courts; but I understand that hon. Members have no confidence in Dublin juries either. In fact, it seems to be very difficult, if not impossible, to accommodate hon. Members with a tribunal in which they have confidence. In this Commission, however, the Government offers them a tribunal which surely ought to satisfy them. And if they do not accept it, it will be our duty to go down to our constituents and explain to them what has taken place; nay, more, it will be our duty to reiterate these charges against hon. Members. Now, I come to an appeal which I have to make to Her Majesty's Government. I dare say many hon. Members who have been to America know something of a game of cards which is known by the name of "poker." Those who are acquainted with that game will know what I mean. It seems to me that *The Times* newspaper and hon. Members opposite have been "bluffing" long enough, and that it is time they were called upon to show their hands. It is all very well to go on like this whilst the stakes are small; but, when the stakes come to be charges of murder and forgery, I say they are too high for English politicians to play with, and, therefore, I say to Her Majesty's Government—let us have this matter settled once for all. If these charges are not settled, see what a predicament hon. Members of this House are placed in. We must come down here, night after night, and sit in the House with these men, who are charged with being implicated in murder, and if we go to our constituents we must act the part of counsel for the Crown. This is not a dilemma in which I am content to be placed—it is not a part which I wish to play; and, therefore, whilst I appeal to hon. Members opposite to accept the offer of the Government, I implore the Government, whether hon. Members accept their offer or not, to press this Bill through the House.

MR. WHITBREAD (Bedford) said, the speech of the hon. Member who had just sat down showed that he had completely grasped the situation when he said that the question was no longer one between *The Times* and the hon. Gentleman the Member for Cork, but one between the House and hon. Members from Ireland. He differed, however, from the hon. Member as to the possibility of hon. Members from Ireland getting damages from *The Times* if they once went before the Commission. In the first place, if they went before the Commission they were finally estopped from getting damages from *The Times*. ["No, no!"] If hon. Members looked at the words at the end of the Bill they would see that any civil action would be barred in the case of any witness called before the Commission. They did not want the money of *The Times*. What they wanted was the opportunity of clearing the character of hon. Members in that House. He confessed he was anxious for inquiry, but such an inquiry as, if charges were made against him, he would be willing to enter into himself or recommend a friend to enter into, so framed, so conducted, and upon such definite issues as every Member sitting in that House would claim for himself as his first right. More than that he would not ask, less than that justice would forbid him to

accept. So long as those charges were based upon extracts from speeches, artfully and carefully strung together, so long as they consisted of inferences and conclusions drawn from the movement of hon. Members of that House and their communications with other persons, here in Ireland, in America, or in Australia, so long he was of opinion that hon. Members might ignore them and rest quiet under them. Two considerations led him to that. In the first place, the Nobleman who had been Lord Lieutenant of Ireland and the Gentleman who had been Chief Secretary for Ireland had both publicly and formally stated that after careful inquiry they were satisfied that no charge could be substantiated or brought upon which crime could be based. If, after that declaration, new evidence had been forthcoming, then it was the bounden duty of the Government, if they were in possession of that new evidence, to put those hon. Members upon their trial. Afterwards came the publication of the first famous, or infamous, letter, and that materially altered the case. That was a charge definite and direct, and capable of being substantiated or disproved, and he was then anxious for inquiry. They begged the Government to adopt the old Constitutional method; they were not afraid of the partizan feeling of that House; but the Government refused that old Constitutional method, and the hon. Members charged could do no more. The next step was the trial of "O'Donnell *v. The Times*." That, again, had altered the position of affairs completely and entirely. Up till that time the Government had not distinctly linked themselves with those charges. In that trial had come, through the mouth of the Attorney General, for the first time many other letters even more damning, if they could be proved true, than that which *The Times* had first published. He did not know what could be thought by hon. Members of a man in the position of the proprietor, or it might be the editor, of *The Times*—he did not know who was in authority—but of a man who month after month had letters in his pocket which he said he had reason to believe to be true, and which charged nothing short of incitement to murder against hon. Members, and who waited for a convenient opportunity to produce them, waited as if he had got an old curiosity, and wanted to find the market ripe for it. That alone, in his humble judgment, was enough to throw considerable doubt upon the authenticity of the letters at first starting. Now the matter was brought before the House by the action of the Attorney General. It was no longer a question between *The Times* and hon. Members from Ireland, but it was a question of how hon. Members from Ireland were to be treated by the House. The Government themselves had admitted that that speech of the Attorney General altered the whole aspect of affairs. Of course it did. The Government talked to them about offering a fair tribunal, and said they would not limit the scope of the inquiry. If an action for libel had been brought against *The Times*, he could understand the proprietor of that journal saying—"I will justify for the whole libel, and will not set up a part of it." But now they had from the mouth of the Attorney General charges, which the hon. and learned Gentleman believed to be true, and which he said he could prove, brought against hon. Members of that House—charges that amounted to nothing less than charges of incitement to murder. The Government talked about narrowing the issue; but was not such a charge a wide enough issue to try? He thought the hon. Member for Oldham (Mr. Elliott Lees) was right when he said—"Try this first. If you succeed in proving these letters against hon. Members from Ireland, you will have destroyed them as far as public life is concerned." If, on the other hand, the Irish Members proved the letters to be forgeries, as he believed and as he hoped they would, he did not think the public would care much about the strung together extracts, the reports of interviews with Walsh and Ford, and other matters of that kind.

MR. ELLIOTT LEES, interposing, expressed a hope that the hon. Gentleman was not intending to represent his words in what he had just said.

MR. WHITBREAD said, what he had represented the hon. Member to have stated was that it was desirable to try first the question of the letters.

MR. ELLIOTT LEES explained that his argument was that if the authenticity of the letters was proved in the course of the inquiry the public would think very little of the other charges.

MR. WHITBREAD said, he thought the hon. Member was recommending

them to try first of all this issue of the letters. For his own part, he thought that was the issue which ought to be first tried. It was a clear issue. Let them consider for a moment how well placed the Conservative Party was for the trial of that issue. The charges of *The Times* were divided into two parts. One part consisted of extracts from speeches delivered at or before the time when it suited the Conservative Party to seek for and to accept the alliance of these very men. Gentlemen opposite might say that they knew nothing about the letters. That was quite true. The letters did not transpire till long after their alliance with the Irish Members had ceased, and consequently they would be exceptionally well placed to try the issue now. If they believed, as their Attorney General said he believed, that the other charges could be proved against hon Members from Ireland, they should remember that when they were courting their alliance the Irish Members came red-handed from these crimes; and if they really committed them, that was the time when one would have thought that Gentlemen opposite would have most shrunk from meeting them in the Lobby or courting any alliance with them. Were there any other charges formulated? He had listened to the speech of the hon. Member for Cork on the previous night, and it struck him it had the ring of truth about it. He understood the hon. Member to say—"If you have got other charges formulate them, and we will meet them. We do not object to go before your tribunal, but let your charges be definite charges which we can meet, and which will not waste our life and the whole of our means and substance in an endless inquiry." He asked hon. Members opposite whether this kind of fishing, roving inquiry was one which any single individual of them would recommend a friend to enter into? Just conceive what it meant. The Commissioners were to inquire into every action in order to throw odium, suspicion, and dirt on the hon. Member for Cork. This was to be carried on whether the witnesses were in England, Ireland, America, Paris, or Australia. Would any man live to see the end of such an inquiry if it were really tried out? Could any man's purse stand it out? No. All they asked was that the Irish Members might know what it was that they had to clear their character from. The humblest criminal was entitled to know upon what charge he was going to be tried; and were they in that House to be less jealous of the position and character of Members there? Hon. Gentlemen opposite could not get rid of those Members. They must meet them in that Chamber in debate; in Committee they must be constantly rubbing shoulders with them; and yet they would not venture to raise definite charges against them, although they vaguely professed to believe that the slanders of *The Times* were not without foundation. Members on that side of the House asked but for one thing. They were content to go before the tribunal which was suggested, but they asked to know on what charges they were to be tried. He thought the country would understand them when they said that they asked for nothing more than a definite charge, a fair tribunal, and consequently no favour.

MR. J. CHAMBERLAIN (Birmingham, W.): I will endeavour to confine within very reasonable limits the observations which I desire to address to the House. I will not follow, point by point, the speeches which have been delivered from this side of the House this evening, although I may have to recur again to several of the statements which have just been made by my hon. Friend the Member for Bedford (Mr. Whitbread). As regards the speech of the hon. Member for Northampton (Mr. Labouchere), it was couched in the vein of cynical humour to which the House is accustomed from that hon. Member, and in which he develops from his own inner consciousness imputations of mean and unworthy motives against his political opponents in which I hope he does not really believe. I am sure he must have been very unfortunate in his experience of human nature, if he cannot admit to himself that Englishmen, even although they happen to be Ministers of the Crown, are really filled with a desire for fair play and justice. Sir, I address the House from rather, I think, a different standpoint than that of those who have hitherto supported this Bill. When I entered the House in 1876 I took my seat below the Gangway on those Benches, and I found very often near to me, and very often side by side with me, the hon. Member for the City of Cork. I was at that time intimate with that

hon. Member. We did not agree upon many subjects; but I was able to co-operate with him on many others. Our intercourse was close, and I think I might say friendly; and, Sir, I am bound to say that at that time I formed a judgment of the hon. Member for Cork, of his character, of his motives, of his honesty, of his sincerity, and of his patriotism, that will not allow me easily to accept the charges which have now been made against him. I have retained my own conviction as to the integrity of his character. I did not share, I did not associate myself with, the accusations made against him by the late Mr. W. E. Forster in this House, and I took an active part, as I am not at all ashamed to confess, in securing the release of the hon. Member from Kilmainham; and, Sir, the only think which could shake, or which has shaken, in the slightest degree my confidence in the hon. Member's ability to disprove these charges which are now made against him, and which, if proved, would, as he says, leave him dishonoured and dishonourable, is his apparent reluctance to face a full inquiry. [" No!" *from the Home Rule Members.*] Now, we will test that, and we will take the test which is put by my hon. Friend the Member for Bedford. —namely, that we have no right to ask the hon. Member for Cork to undergo any inquiry which we would not invite ourselves, and accept for ourselves. The hon. Member for Cork is charged with these offences in *The Times;* suppose a charge of that kind had been brought against me by *The Times* newspaper, does anyone in this House believe that, under those circumstances, I would not have gone to a jury? Does anyone believe that, under those circumstances, I would not advise a friend to go to a jury? [An hon. MEMBER: Suppose it were against *United Ireland?*] An hon. Member says "*United Ireland.*" I do not think it at all improbable that *United Ireland* may slander or libel me; but, if it does, I will go to a jury. [An hon. MEMBER: In Dublin?] Even then, I would go to a jury. [An hon. MEMBER: Of English Tories?] Now, the answer of the hon. Member for Cork to the suggestion that he should go to a jury is, that he cannot trust himself to an English jury. I am not going to dispute the perfect honesty of that objection. I assume that the hon. Member sincerely feels that he cannot trust himself to an English jury, though I do not think that his distrust would be shared by hon. Members from English and Scottish constituencies who are in alliance with him. We should, I think, all feel that, though an English jury might be partizan, yet in a matter of this moment, involving such terrible charges against the character of anyone, it might be trusted to do justice. I admit, however, that the hon. Member for Cork may sincerely and honestly object to an English jury. Well, does he object also to a Scottish jury? Does he object to an Irish jury? I was asked just now whether I would go to an Irish jury. I answer I would, if I could not go to an English one; but probably I might prefer an English one. I could understand, therefore, if the hon. Member for Cork should put greater trust in a Dublin jury. Why does he not go to a Dublin jury? That is the question, I confess, I have not seen answered. I can quite understand the prejudice which would lead him to refuse to appear before a Middlesex jury; but what is the prejudice that can make him refuse to appear before a Dublin jury? There is no doubt whatever that he could do so. My right hon. Friend the Member for Newcastle-upon-Tyne (Mr. John Morley) admitted the other day that Mr. Parnell might have gone before a Dublin jury, and what was the reason he gave for his not doing so? My right hon. Friend suggested that it would not be fair to *The Times.* But why should the hon. Member for Cork be tender with *The Times?*

MR. JOHN MORLEY (Newcastle-upon-Tyne): If my right hon. Friend will excuse me for interrupting him, what I said was that *The Times* would say it would not be fair.

MR. J. CHAMBERLAIN: Why should the hon. Member for Cork care twopence what *The Times* says? [*Loud Home Rule cheers.*] I am delighted to have the assent of hon. Members. Those cheers show that hon. Members agree with me that there is no rational reason why the hon. Member for Cork, who, it is said, has been scandalously libelled by *The Times,* should care twopence what *The Times* would say if he took them before a Dublin jury. In the absence of any explanation from him, I cannot understand why he did not take an action for libel against *The Times* to

Dublin. My right hon. Friend says—"We are willing to go before a Committee of the House of Commons." That is the answer which is made when it is suggested that the hon. Member for Cork should go before a jury. My hon. and learned Friend the Member for South Hackney (Sir Charles Russell) said last night it was most inconsistent for us to urge the hon. Member for the City of Cork to go before a jury, and at the same time to dispute the impartiality of what would practically be a jury of Members of Parliament. Oh! yes; but my hon. and learned Friend forgets the distinction. What would happen if there were a Committee of the House of Commons would be that the Committee would undertake to be Judge and jury too. I may say at once that, personally, I differ from many Members of the House on one point. I am sorry the Government did not grant a Committee. I am perfectly convinced, in my own mind, that the result would have been unsatisfactory and incomplete; but it would have prepared the way to a unanimous assent to a different kind of investigation. In one sense the objections to a Committee would be very strong. A Committee of the House of Commons would have to be Judge and jury. I do not think there is anyone who thinks that an investigation could be effectually carried out except by someone of experience in legal and criminal proceedings. My objection to a Committee of the House of Commons is, not that it would not be impartial, that it would not be able to rise above the considerations of Party. I believe that it would be incompetent, and that it has not the qualifications for dealing with a case of this kind, and that it could come to no satisfactory result. The real issue is not as to the tribunal, for the proposed tribunal is accepted, I believe, by hon. Members below the Gangway, and is certainly accepted by the hon. Member for Bedford. The only issue that remains, therefore, is what reference shall be submitted to the tribunal? And remember, that the same question would have arisen if the Government had agreed to appoint a Committee. But before I go to that, let me put my hon. Friend (Mr. Whitbread) right upon one point. He says that the Irish Members asked for a Committee. That is not exactly the case. What happened was this—that these charges were made, were received with silence for a fortnight, and no demand was made for a Select Committee. Then a new and different charge, a much less grave one, was made against Mr. Dillon, and thereupon an hon. Member on the opposite side of the House brought these charges forward as a Breach of Privilege, and, in order to meet that, an Amendment was moved, I believe by my right hon. Friend the Member for Mid Lothian (Mr. W. E. Gladstone), asking for a Committee to inquire into the charges against Mr. Dillon, and not into these letters. That was the original Motion, and that was objected to, and when the inconsistency was pointed out of limiting an inquiry into what, by comparison, was a totally unimportant matter, then it is true that there were expressions from this side of the House—I think from the Irish Members—of their willingness to extend the inquiry to include the charges made against them. It is right, I think, to put that historic element before the House, because it is a very different thing from the burst of indignation, directly the charges were made, with which we are told the Irish Members demanded full and complete inquiry. I go on to point out that if the inquiry had been granted as asked, there would still be the question—what was to be inquired into? It is quite true that anyone reading the speeches of my hon. and right hon. Friends, would have imagined that the whole of the charges brought by *The Times* were to be inquired into, and that such a reference as is contained in this Bill would amply meet the demand. But it has since been pointed out that the charges were to be distinct, and it is quite evident that the whole argument of my hon. Friends would be illogical and inconsistent, unless it applied to a Committee of the House of Commons quite as much as to a judicial Commission. So that we come now to this—what limitation is to be placed on the inquiry which we all agree to except the hon. Member for Northampton (Mr. Labouchere), who does not agree that an inquiry has become absolutely necessary? Nor does there seem to be any hon. Member who says that the tribunal is not a fair one. There remains the question—what is to be the issue? The

hon. Member for Cork, as I understand, asks for two limitations and a condition. He asked that the inquiry should be confined to the Members of Parliament whose names shall be specified in the Bill; and he asks, in the second place, that they should be confined to charges against those Members which shall be specifically defined. In the third place, I understand him to suggest that the order of the inquiry should be fixed; that the Commission, in the first place, should examine into the authenticity of the letters, and then proceed with the other branches of the inquiry. I agree with the hon. Member for Oldham (Mr. Lees) that these letters constitute the principal, if not the gravamen, of these charges, and no inquiry would be satisfactory which did not give a principal place in that inquiry to an examination into the authenticity of these letters. If they should be successfully shown to be base forgeries, all the rest of the case, whatever it be, will be so prejudiced that I much doubt whether the public will pay much attention to it. All that I admit, and everyone must admit, but it seems to me that there is sufficient security for the hon. Member for Cork. It cannot be, under those circumstances, that an inquiry into the letters will not take an early place in the inquiry, and that it will not have the greatest possible importance. But to lay down the exact mode and form in which evidence is to be tendered would not, I think, be wise. It would be better to leave those matters to the discretion of the tribunal if you have confidence in the tribunal. I think they may fairly be trusted to establish the place and order in the inquiry which is to be occupied by an examination into the authenticity of these letters. I propose to go through the objections which strike me as to the mode of the inquiry and the limitations proposed, and to consider the objections taken by the hon. Member for Cork. To his objection of the vagueness of the inquiry, as contained in the Bill—a general objection—I answer that I object to limit or hamper an inquiry into the truth. This is not an ordinary inquiry, but is an extraordinary judicial proceeding. A Commission of this kind which has been appointed on three or four previous occasions is undoubtedly a most inquisitorial instrument. As far as I know, it has never failed, when it has been appointed, to get out the whole truth about the transactions submitted to it for investigation, and it has done that just because it is not limited in its inquiry, because everything is left to its discretion, and by those means the whole truth has been elicited. I am sure the House will feel that I am not putting those views forward in any aggressive mood. I am ready to say that I believe now, as I have believed before, that the hon. Member for Cork will be able to show that he is innocent of the acts which have been imputed to him. But in that case, in order to establish his innocence, it is requisite in his interest as much as that of any other man, and quite as necessary that the inquiry should be made as far as possible full and complete, so that not a shadow of a doubt should remain in men's minds on the subject. I will give the House an illustration of what I mean as to the propriety of not putting fetters upon the discretion of the Judicial Body you are about to appoint. I may say I can remember something of the Commission which was appointed to inquire into what were termed the "rattening" outrages in Sheffield. I dare say that the House can remember that the Commission practically traced the instigation of the whole of those outrages to a scoundrel named Broadhead. He was the "head and front of the offending," and the guiding spirit throughout the whole of the business. But I believe it was the case that no particular suspicion rested upon Broadhead before the inquiry commenced. If it had been necessary to state before the appointment of that Commission, who were the persons accused, and what particular crimes they were accused of, I believe that Broadhead would have escaped altogether. But I need not pursue an illustration of that kind further. One such illustration is surely sufficient to show that the fullest discretion should be placed in the tribunal you are about to appoint if you wish to get at the truth, otherwise you will limit its power to do so. I ask whether it would be satisfactory to the House, to the public, or to the accused Members themselves that if there be other persons concerned in this inquiry, they shall escape because the hon. Member for Cork and his Parliamentary Colleagues are entirely inno-

cent? Suppose they are innocent absolutely, that they can be washed white as snow, but that there are other persons of whom we have no knowledge, but who are guilty, and whose transactions are embraced in the charges of *The Times* —would hon. Members below the Gangway wish to shield them from detection? Those guilty parties, if such there be, will be shielded if the limitations which are attempted to be put upon the inquiry are consented to by the House. But there is another point, which is more personal to the hon. Members who are accused. Of what are they accused? They are accused, in the words of the Lord Chief Justice, of "complicity with crime, of connivance with crime, and of condonation of crime." Well, how are you going to establish their innocence of these charges, unless you go into their relations with other persons who are criminated, and who are not Members of Parliament? The thing is perfectly absurd. It is connivance, complicity, knowledge before or after the fact that you have to deal with. You cannot begin to attempt to prove it without going into the relations of Members of Parliament with persons outside Parliament. The charge against the hon. Member for Cork is not, as I understand it, as was stated by the hon. Member for Bedford, a charge of murder. [Mr. WHITBREAD: It may be of incitement to murder.] Well, it may be, I admit, a charge of incitement to murder in connection with the second letter, but that does not follow. I did not want to press the point; but I meant to say in passing that it does not follow that if that letter were written by the hon. Member for Cork, the words he used would necessarily amount to an incitement to murder. Unquestionably, on very many occasions, the words—"Make it hot for old Forster," might well have been used without giving rise to the slightest danger to his life—they might merely suggest that it should be made hot for him in the House of Commons. But passing that, which is evidently a possible interpretation to be placed upon the letter, I want to say, speaking generally, that the charges against hon. Members in this House do not necessarily imply that they have been personally guilty of actual crimes. What is charged against them is a moral offence of the greatest flagrancy—most heinous, but they are not charged with any act which would subject them to a criminal prosecution. If the charge against the hon. Member for Cork was such as to render him liable to a criminal prosecution, I should agree with those hon. Members who say —"Why do you not prosecute him?" Undoubtedly, under the circumstances, they ought to prosecute, but it is not so. I appeal to lawyers in this House, and I say that the charge against the hon. Member is merely that he has been guilty of moral complicity with crime and of knowledge connected with it, than it is a charge of an actual criminal offence. And, I say again, that there is no possibility of the hon. Member clearing himself of these charges, unless he is allowed to go into his relations with other persons who are not Members of Parliament, and who are not named in this Bill. But I am prepared to carry the matter a step further. The necessity for going into their relations with other persons has already been admitted by the hon. Member for Cork and by the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor). The hon. Member for Cork, with an indignation which seemed to me perfectly natural and justifiable, went through the charges made against him in *The Times*, and he denied them with corroborative detail, and gave the House an account of his relations with Walsh and Devoy and Ford. The hon. Member having taken that course, therefore admits that he is called upon to give some explanation of his alleged complicity with those parties. In that case, why should the hon. Member refuse to do before a judicial tribunal what he has already done before this House? But the hon. Member for the Scotland Division, who is also one of the accused parties, and, therefore, speaking for himself, went much beyond that. The hon. Gentleman also gave us an account of his relations with one of the outside persons, Mr. Byrne. The hon. Member admits that he had communications with that person, and he has explained what their nature was. Again, I ask the hon. Member, why should you refuse to give before a judicial tribunal—subject, though you would, of course, be to cross-examination—the evidence which you are perfectly willing to give to this House? I want to call attention to the language

of the hon. Member for the Scotland Division of Liverpool, because it is very remarkable language. He said last night, speaking for himself and his Parnellite friends—

"We are willing to go into the box to give evidence and to be cross-examined, we are willing to tell everything we know"—

["Hear, hear!" *from an Irish Member.*] That cheer is quite uncalled for—

"we are willing to have the subject of the letters investigated, we are willing to have the question of our complicity with crime tested, but we are not willing that under this pretext you should go into the history of the Land League."

Well, but that is the gravamen of the charge. [*Cheers and* "Oh, oh!"] Yes, yes; but do not be in a hurry. The charge is that hon. Members have been guilty of complicity with members of the Land League who have been guilty of murder and outrages. How can you investigate such a charge as that without going into the history and the operation of the Land League? That is the position of the accused. No one doubts—I believe not even the hon. Member for the Scotland Division—that certain Members, probably subordinate members of the Land League, were guilty of crime; nobody doubts, nobody denies that the hon. Member for Cork was the president of the Land League, that the hon. Member for the Scotland Division occupied a prominent and responsible position in connection with that organization, and other Members connected with it were also responsible for the organization. These are facts—admitted facts on one side and the other. What is charged? That there was complicity between the men at the head of the organization and those tools and instruments who were guilty of crime. Now, I say that, in order to clear yourselves from these charges, it is absolutely necessary that you should be allowed to go into the transactions of the Land League, and show what complicity there was between the proceedings of the Land League and those who are accused. I confess that, under these circumstances, it appears to me to be perfectly inconsistent with the position taken up by the hon. Member for Cork and by the hon. Member for the Scotland Division, that any limitation should be put upon the inquiry with reference to the persons who may be charged with offences. But it is said that the charges should have been specifically set forth in this Bill. Of course, there is a preliminary objection to that as far, at all events, as the presentation of the Bill is concerned. To have specified the charges would have made the Government a party to the indictment. [*Cheers and counter cheers, and* an hon. MEMBER: They are.] Whatever hon. Gentlemen may say—and I, for one, am prepared to make all allowance for their indignation when suffering under these charges—whatever hon. Members may say in the heat of debate, I do not believe that in cold blood they will say for a moment that the Government are in any way parties to these charges which have been brought against them. [*Cheers and cries of* "We believe they are!" *and* an hon. MEMBER: Smith has confessed it.] Well, of course I cannot dispute the statement of hon. Members that they do believe; but I am not sure that the period of coolness to which I referred has yet arrived. Well, there is another objection to the limitation of charges which is proposed. It was, I think, the hon. Member for Northampton (Mr. Labouchere) who gave his interpretation of the specification of charges, and who wished to have in the Bill the name of everybody who can possibly be accused of particular crimes, the dates of the crimes, and the places where they were committed. It appears to me that any attempt to include particulars of that sort into the Bill would limit the inquiry so as probably to make it useless. Let me put a possible case. Suppose that under the conditions of indemnity given in the Bill, new witnesses should present themselves, or suppose a witness should come forward willing to testify that a particular Member of Parliament had been connected with, or been privy to, or had advocated or suggested a particular murder in Ireland—under the proposed limitation that hon. Member would have no chance of vindicating his character from so tremendous an aspersion on it, and that would necessitate a second inquiry, and perhaps a series of inquiries from time to time would have to be instituted before we could get at the bottom of the truth or falsehood of these allegations against Members. If a charge of that kind is made, a serious charge which the persons accused would

feel a natural desire to answer on the spot, why is the Commission to be limited and to be refused the opportunity of going into it? If, however, all that hon. Members believe is that there should be a general indication of the charges, I can only say that it seems to me that the House might be only too willing to meet them. What I mean is this. It may be said on behalf of hon. Members—"We do not want this inquiry to last for an indefinite time, and therefore we do not want to go into mere offences against property, into Boycotting, and matters of that kind. They are illegal, they are crimes in a technical sense, but they are not the sort of crimes into which inquiry is now demanded." Well, exclude them by all means. I certainly think matters of that sort would be altogether irrelevant to the main object of the inquiry, and I do not see why the inquiry should not be confined to general charges of real importance affecting complicity with crime on the part of hon. Members and with crime of personal violence and outrage. So that if hon. Members say—"We shall be satisfied if you propose to inquire into the charges of *The Times*, into our connivance with crime, into our complicity with crime, into our condonation of crime," it appears to me that we ought not to stickle. I do not see why the Government should stickle as to words. Those are undoubtedly the matters into which the public wants an investigation, and those are the questions which, I take it, it would be improper in the slightest degree to limit. Now, I come to the objections which have been taken by the hon. Member for Cork—they are not numerous, and, as I venture to think, not very important—to what he calls the vagueness of the proposals of this Bill. He says, in the first place, that the Commission in those circumstances would take 10 years. I do not myself think it would take a very long time. My own opinion is, that it would very shortly appear after the Commission met what was likely to be the result of the inquiry, and, according to that, the inquiry would speedily terminate; or, if it went on, it would only be because there was a grave and serious matter which, in the public interest, should be investigated. If that be the reason for the delay, then I say no one would grudge the delay, whether it be weeks, months, or years, if the whole truth can thereby be established. Then, some of the Friends of the hon. Member for Cork have referred to the question of expense. I confess that is a difficulty which strikes me very forcibly. I think we should all feel that a most grievous hardship would be inflicted on those hon. Members if at the expiry of a lengthened inquiry which had shown them to be absolutely innocent of the atrocious charges which have been brought against them, they should have been ruined in their circumstances without hope of redress. The hon. Member for Oldham (Mr. Lees) said in that case they would be able to bring an action against *The Times*. But my hon. Friend the Member for Bedford has pointed out that that would be impossible. The indemnity would intervene, and they would have no remedy against those who had libelled them. In order to be perfectly fair, let me take the other side of the case. Suppose those charges are proved, then we should all be disposed to say that a great public duty had been performed by *The Times*, and that it was a very great hardship upon *The Times*, wealthy as the proprietors of that journal may be, that these enormous expenses should be cast upon them for performing that public duty. In either case, therefore, I say, provided the judgment of the tribunal is conclusive, it does appear to me that a grievous hardship may be inflicted; and I think the Government ought to consider whether, in the event of a conclusive judgment being arrived at, the reasonable expenses of the successful parties, whoever they may be, ought not to be paid by the Nation. This is a national inquiry, an inquiry of national interest, and in my judgment so exceptional, so entirely unprecedented, that the Government would be perfectly justified, and would, I think, be supported by the House, if it brought forward a proposal to pay the expenses of those who have innocently been brought into those charges. Then there comes the third objection, which is that, under the pretence of investigating these grave and serious charges, the Commission and the prosecutors, the parties chiefly concerned—the accusers, I should call them—will try to cover up those charges, to smother and minimize their importance, in order to put forward others which we regard

as of infinitely less consequence. I do not think there is the slightest fear of anything of that kind. I do not believe that three Judges of the reputation of the Judges who are to constitute this tribunal would allow the inquiry to stray into irrelevant matters, to take up questions of accusations of an unimportant character and against unimportant persons. But even if they did, in order to exhaust the argument, how would the hon. Member for Cork and his Friends be prejudiced? On the contrary, it appears to me that all public opinion, all public sentiment, would go with them. It would be felt that *The Times* has committed itself to those grave and serious charges, and unless it proves them it could prove nothing. To lead the inquiry off into subsidiary and comparatively unimportant matters would be, in my opinion, fatal to the reputation of *The Times*, fatal to its success. It can only deal with these comparatively unimportant questions so far as they have a direct bearing on the important charges which we allow ought to be investigated. I say, as the conclusion of my examination of the subject, it appears to me that what the House ought to desire, and what hon. Members below the Gangway ought to gladly accept, is the fullest, the freest, the most complete investigation into the whole circumstances. I do not think any proposal to limit this inquiry, even though hon. Members may think there will be a waste of time, a waste of money, ought to proceed from them. I think they, on the contrary, ought to say in effect—"Having got a fair tribunal, we do not care how wide is the reference which we leave to it; we are content; our characters cannot suffer from any investigation, however complete it may be." Only one word more before I conclude, as to the situation in which we find ourselves. This Bill is presented as an offer to hon. Members, especially to the hon. Member for Cork; it is presented as a concession, to reject or accept as he may think fit. I understand that he has rejected it, or, at all events, that he would be inclined to reject it in its present form. That being so, the Government may well reconsider their position. They could, with perfect consistency, withdraw this Bill; but I venture to say that the matter is really now out of their hands. It is in the hands of the House of Commons, and it is the honour and the dignity and the character of the House of Commons which are at stake. It seems to me that in the interests of the House of Commons, in the interests of the public, in the interests of hon. Members who have laboured so long under those imputations, we are bound, without reference to the Government, to take this matter in hand and say, whatever it may cost in the way of time and labour, whatever may be the disadvantages to public business,—"We are bound to take this matter in hand and carry it through, we are bound to secure that there shall be the fullest and most complete and most satisfactory investigation into the terrible charges which have been allowed to hang so long over the heads of prominent public men."

SIR WILLIAM HARCOURT (Derby): I think the three last speeches to which we have listened have shown the advantage of the adjournment of the debate last night. We have had this question treated from different points of view by the hon. Member for Oldham (Mr. Lees)—whom I must congratulate on the ability which he has shown in his early speech to this House — by my hon. Friend the Member for Bedford (Mr. Whitbread), who never speaks except with great authority from his calm judgment and experience. We have also heard an analytical speech from my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain); and all of them have raised this question above that level of miserable special pleading to which it was reduced last night on behalf of the Government by the right hon. Gentleman the Home Secretary and the hon. and learned Solicitor General. At last the House is beginning, I think, to appreciate that this is not a question for the counsel for *The Times*, and that the issues are not to be settled by them as they have been settled in this Bill. All those hon. Gentlemen to whom I have referred have pointed out what is the real character of the charges that have been made and which have to be met. My right hon. Friend has said that the charge is a charge of complicity with crime and with murder. There is no doubt that that is the charge. The charge made in the alleged letters is a charge of complicity with crime, which makes the man who is guilty of it accessory before the fact and after the

fact of murder. Now, it is a very remarkable fact that in the defence of this Bill offered by the Government last night there was not the smallest reference on their part to those letters. They evaded those letters; they shrunk from them; they put the case on other grounds. [*Cries of* "No, no!"] Hon. Gentlemen opposite who cry "No" seem to doubt the accuracy of what I say. The right hon. Gentleman the Home Secretary said that the charges of *The Times* in the action of "O'Donnell *v.* Walter" touch much more closely the Land League than they touch the hon. Member for Cork. The right hon. Gentleman put the case against the hon. Member for Cork as a subordinate and subsidiary case; he put the charges, which he said were charges against the Land League, as the primary case which the Government desired to prosecute and pursue. That is absolutely inconsistent with the point of the speeches by the hon. Member for Oldham, the hon. Member for Bedford, and the right hon. Member for West Birmingham. They have pointed out that the head and front of this case is the charge against the Member for Cork and his Friends, who are the Representatives of the Irish people in this House, of their personal complicity with crime. And one of the great complaints we make of this Bill, framed as it has been under the advice which has been sought by the Goverment, is that they have, for reasons best known to themselves, endeavoured to cast this charge against the hon. Member for Cork into the background and to bring forward something totally different. My right hon. Friend the Member for West Birmingham has said, also, that the charge is a charge of crime as popularly understood by the public of this country. It does not mean those artificial crimes which you have created by your legislation; it does not mean Boycotting, or those things which you have made crimes and which were not crimes before. That is not what the country understands by *Parnellism and Crime*. It is a totally different charge, and yet the action, as it is described here, is an action full of imputations of that character, and which are entirely opened by the reference as you have chosen to make it. I have now found the remark of the right hon. Gentleman the Home Secretary to which I referred just now. The right hon. Gentleman said,

> "It is to the Land League much more than to the hon. Member for Cork that the allegations of *The Times* newspaper refer."

That is the view of the Government. What is to be prosecuted in this Commission is not principally the charges against the hon. Member for Cork and the Irish Members, but it is the Land League which the Government desire to prosecute. Then that is a political prosecution. It is against a political organization that the prosecution is aimed; and we complain that the Government have framed their Bill for that purpose—a Bill professedly given to particular individuals in order to afford them an opportunity of clearing their characters. Having given the Bill thus, you come forward and say, "These men to whom we offer this tribunal are not the principal objects of the inquiry; it is the conduct of a political organization that we wish to inquire into." The right hon. Gentleman the Home Secretary says that such an inquiry as that touches upon political subjects and passions. Of course it does; and it is because it does that the Government appear to me to be determined to make it the principal object of their inquiry. The right hon. Gentleman got into a rather embarrassed position in talking about skiffs and steamships; how one coasted and the other did not coast upon political subjects; and what he desires is to embark this Commission first mainly upon a political inquiry—an inquiry into the conduct of a political organization. Then you say this is to be a judicial inquiry. What do you mean by that? It is to be a judicial inquiry because it is constituted of Judges. Yes; but are the Judges to act upon judicial principles? My hon. and learned Friend the Member for South Hackney (Sir Charles Russell) endeavoured to press that point, and the right hon. Gentleman the Home Secretary and the hon. and learned Solicitor General flinched at once. They said, certainly not; it is not to be conducted on the well-known principles of judicial evidence.

SIR EDWARD CLARKE: I never said that.

SIR WILLIAM HARCOURT: I have not got his words here, but the hon. and learned Solicitor General was

asked whether the law of evidence would apply, and he said that that would be narrowing the issue.'

SIR EDWARD CLARKE: It is only fair to state that what I did say was, that I could not imagine that Judges, who had been used to dealing with evidence, would deal in a different way with a matter so grave as this from that in which they would deal with a matter in which £25 worth of property was concerned.

SIR WILLIAM HARCOURT: I am very glad. Then the hon. and learned Gentleman believes that the matter will be dealt with on the principles of judicial evidence. Let us have that clearly understood. Is this inquiry to be a judicial inquiry, conducted upon judicial principles? I venture to say that that is a matter of supreme importance, because an inquiry conducted by Judges not upon judicial principles, not upon judicial lines, is not a judicial inquiry at all; and if the Judges conduct an inquiry of that kind they are no better than anybody else, and perhaps a good deal worse. The value of Judges is that they shall be bound to inquire upon judicial principles and strictly bound by the rules of judicial procedure. What I understand by judicial proceedings is something very different from the proceedings known in a town, the government of which was recommended to us by an hon. and learned Gentleman opposite, the government of old Venice, where there was a lion's mouth which supplied the judicial evidence upon which proceedings were taken; and what we desire is not to have the lion's mouth established, but that there should be principles laid down upon which the investigation should proceed. The charges ought to be made in a clear way. Supposing in the days of the Reform agitation somebody had charged Lord Grey and Lord John Russell with having been accomplices in acts of violence committed in those days, say the Bristol riots or the conflagrations at Nottingham; and supposing that Lord Grey and Lord John Russell had come to this House, or to any other tribunal, and complained of such charges, and you said, "Oh, no, we are not going to inquire whether you are accomplices in these transactions, but we are going to examine into the whole Reform agitation, the whole Reform organization, and the Birmingham Union, and see what they have done, and go back 20 years and consider, from the time of Wilkes downward, every act of violence and outrage that had been committed." Would not that be an insult to offer to men charged with being accomplices in acts of violence and outrage? That is a very fair illustration of the manner in which you profess to meet the demand that has been made. If this is to be a judicial inquiry, conducted on judicial lines, who is to be arraigned? There is no judicial proceeding in which it is not known who is the person to be arraigned. What are the charges to be brought? No proceeding is a judicial proceeding in which it is not perfectly well known what are the charges to be brought and inquired into. Does the Bill refer charges to the Commission against any persons, or charges of any particular kind? No; it refers a speech of counsel for *The Times*, and nothing else. I will not say a speech of the hon. and learned Attorney General. The right hon. Gentleman the Home Secretary said truly last night that the speech of counsel for *The Times* added nothing to the statements of his clients. That is not the view taken, I observe, by Tory newspapers. A leading Tory newspaper said the other day, "What more do we want? We have had a speech from the hon. and learned Attorney General, which is equivalent to the finding of a Grand Jury," and thereupon they called upon the Government, not very unreasonably, I think, to prosecute the Member for Cork and his Colleagues. If the hon. and learned Attorney General believed one single word of what Sir Richard Webster said, it was the duty of the hon. and learned Attorney General to indict the Member for Cork and his Colleagues. The proof that the hon. and learned Attorney General does not believe the speech of the counsel for *The Times* to be a fact is that he has not advised the Government to take any such course. Then, speaking not of the hon. and learned Attorney General, but of the counsel for *The Times*, this I will undertake to say, that a more extraordinary and, in my opinion, a more unjustifiable course was never taken by a person placed in his position. I have always understood that it was a tradition of the Bar that the counsel, whatever

instructions he might receive, would not, unless it were necessary for the interests of his client in that particular case, open evidence against persons who were not, and could not be, present to defend themselves, which he did not think it necessary upon the issue before the Court to prove; and that he would not endeavour indirectly to damage the character of people who were necessarily absent, by statements which they were unable to refute. But the counsel for *The Times* expended a day and a-half in making statements which he said had no relation to the plaintiff in the case, and which were calculated to injure and damnify the character of other men whom he knew could not come there to justify and defend themselves. To show that that was the case, he pledged himself to prove all the statements he had made to the Court, and when he came to the end of his speech on the third day he actually entreated the Court not to allow the issues to be gone into which he himself had spent a day and a-half in expounding, and to prevent evidence being given to disprove the statements he had made. These things go to show that the trial was not an ordinary trial, and confined to certain persons, but that it was a political prosecution. It is most unjustifiable in itself to force on the public mind other issues than those which a Judge and a jury would have to try. But that attempt explains a great deal that we see in this Bill. It seems to have been framed in the same spirit of endeavour to confuse the issues as was shown by the counsel for *The Times* when he brought before the Court matters that the jury were not impanelled to try. We do not wish by a side wind to damage the characters of men in a manner against which they have no defence; and against such a course, whether it be taken in the High Court of Justice, or in the High Court of Parliament, I enter my solemn and indignant protest. The right hon. Gentleman the Home Secretary said we had demanded that the Government should pick out of the allegations of *The Times* the sum and substance of the charges it made. We have asked nothing of the kind. Regarding the Government as I do as the main promoters of these prosecutions, I would not trust them to do anything of the kind. I tell them honestly I think they are the last people in the world to be trusted to do anything of that sort. What we have asked is that the charges should be defined, and that they should be specified. That may be done in different ways. The hon. Member for Cork may state the charges he considers to have been brought against him, and which he wishes to refute; or *The Times* may state charges which it is prepared to support or to prove. You say that this tribunal are not to be bound by technical rules. Is it a technical rule that a man should know whether he is charged, and what he is charged with? Why, that is the fundamental essence, and the first conception of justice; and to have the right hon. Gentleman the Home Secretary and the Law Officers of the Crown disparaging that which is the first principle of justice, and denouncing it as a technical rule, is one of the most shocking things I have witnessed in this House. Nothing would shock you; for we know very well that you are racing for blood. What we protest against is that any man, even an Irish Member, should be called upon to plead to a sort of hotchpotch, miscellaneous slander. That is not judicial inquiry. You may as well call upon all the members of a particular society to go before a tribunal and prove that they are not disreputable people. That is really the framework and conception of this Bill. It is not merely—and I do not think this has been observed upon in the debate—that you have not defined the subject of inquiry. The Bill first speaks of the charges and allegations made against certain Members of Parliament and other persons in the recent action, and that, apparently, is the limitation of the Bill; but when you come to the 3rd clause you go far beyond that—

> "The persons implicated in the said charges and allegations, the parties to the said action, and any person authorized by the Commissioners may appear at the inquiry."

The right hon. Gentleman the Home Secretary says that, in an ordinary criminal case, it is all very well to be governed by these technical rules of evidence and technical pleadings, and that is because punishment is to be inflicted. Is there no punishment to be inflicted here? Is it the view of the right hon. Gentleman that in some poaching case where men may get a month's imprisonment the technical rules of justice are to be ob-

served, but in a case in which the result may be—I will not say the object is—to blast the reputation of a nation and its leaders, the rules of justice are not to be applied? I confess that a more unworthy sentiment I never heard uttered by a man occupying such a position. The distinction you make is that in some petty case of larceny or misdemeanour, you are to be governed by the laws of evidence, and that you must investigate technical issues, because punishment is to be inflicted; but that, in a case like this, in which you strike at the public character and private life of every man involved, you are absolved from considerations of that kind, and that you may take any amount of hearsay evidence and go into a muddle in which you hope to blacken and destroy the characters of your opponents. Pleading in Court is not a technicality at all—it is of the essence of justice that you should make it clear to the Judge and the jury, to the man concerned and his fellows, what he has been charged with, what is the evidence produced upon that charge, how he has met it, and what is the conclusion that has been arrived at. To take any other course is not a judicial proceeding at all; it is a mere political artifice resorted to for the purpose of besmirching and throwing mud at political opponents. This is what the hon. and learned Solicitor General calls the unprecedented generosity of the Government. Generosity! Men are to be attacked and not know with what they are charged, and they are not to be protected by the ordinary laws of evidence which are applicable to the meanest criminal. The challenge of my hon. and learned Friend the Member for South Hackney upon this point really searched into the depths of the mind of the Government. If they come forward now and tell us that this is to be a judicial proceeding, conducted according to judicial principles, of course one of the gravest objections to the form of the inquiry will be removed; but if that is not done then the Government are seeking to hoodwink the mind of the public and to induce them to believe that this is a judicial inquiry because you put Judges upon it, while at the same time they are depriving it of the essential qualities that belong to a judicial inquiry. Reference has been made to the Sheffield and the Metropolitan Board Commissions as precedents, but they have nothing whatever to do with this case, because in those cases there were no allegations against individuals and there had been no demand by individuals for inquiry and redress. What is the use of saying that with unprecedented generosity you have offered men who have been personally libelled a form of inquiry which gives them no personal redress, and citing as precedents cases in which there was no personal attack? Fairness and justice seem to me to demand that which I understand to be demanded by the hon. Members for Oldham and Bedford, and in a modified degree by the right hon. Member for West Birmingham, and it is that the grounds of the proceedings are to be stated and the charges are to be specified. You may have it done in this way. The hon. Member for Cork may state the libels of which he complains, undertaking to refute them. You may say that possibly he may not traverse important parts of the imputations. So much the worse for him, because in that case they would be taken to have gone by default, and he would endure the consequences of that. An alternative would be for the accuser to state the charges as if he were a prosecutor, to state the issues he desires to raise and to prove. Or there is a third course, which is, to let the Court assign the charges and let them be dealt with on judicial principles. If instead of a hocus-pocus of a speech by the counsel for *The Times* you have a definite statement of charges upon which issues may be raised and dealt with on judicial principles, the persons implicated would know what charges they had to meet and how to meet them. It seems to me to be quite clear from the speeches made that that is not what the Government intend; it is not what they offer. They have put in the background the main charges; they have told us that the charges against the hon. Member for Cork and his friends are secondary matters, and that the main matter is an attack upon the Land League first and the National League afterwards. It is not denied that they have been advised by the counsel for *The Times*, and that the Leader of the House has had a personal interview with the proprietor of *The Times*—a charge which I repeat again, and ask him whether he is pre-

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pared to deny it. They talk of unprecedented generosity to the Member for Cork and his Friends while the issues have been settled by the counsel for *The Times* and after consultation with the proprietor of *The Times*. Do you expect the House and the country to agree that this is fair play? We have been told by the right hon. Gentleman the Home Secretary that the main and principal and first subject of inquiry is the conduct of the Land League and of the National League. Why? Does not the House see that as far as the Government can manage it—and, as I understand an answer that has been given, the counsel for *The Times* is again to be the hon. and learned Attorney General—this Commission is to be worked as a subsidiary adjunct to the Crimes Act? Is it not perfectly plain that in attacking the National League you may bring men up before this Commission in order that you may get at your political adversaries and at the same time make use of this special Commission for the purpose of putting down the National League? That is the reason why we are so suspicious of these vague issues. You talk a great deal about *Parnellism and Crime* just as you talked a great deal about crime in Ireland, but when you came to deal with crime, we found that you meant a very different thing from what the rest of the world understood by that word. And this Commission is not constituted to deal with crime, but its first object is to wage war upon the National League. Therefore I say that you are disappointing the expectations which you held out, and which have been entertained in the country, that this was to be a fair inquiry into the issues raised in the libels in *The Times* against the hon. Member for Cork and other Nationalist Members. This Bill has been conceived in a spirit of general political prosecution, and I protest against such a proceeding for many reasons. After what the hon. Member for Northampton (Mr. Labouchere) has said, I feel bound to repeat here what I have stated elsewhere. I believe there were no two persons with better means of knowledge of the transactions of that period than those possessed by Lord Spencer and myself, and I may say that in all the anxious investigations of that terrible period we never discovered any evidence connecting the hon. Member for Cork or the Irish Representatives with complicity with crime or with its perpetration. We object, I say, to the present form of the Bill, and we shall endeavour to amend it in Committee upon the principles laid down by the hon. Member for Oldham and the hon. Member for Bedford, and, more or less, by the right hon. Member for West Birmingham. According to the Bill as it stands, this will not be a judicial inquiry, and, as explained by the right hon. Gentleman the Home Secretary and the hon. and learned Solicitor General, the inquiry will violate every principle which should govern it. You have refused to state who are the men to be charged, and to state the charge they are to meet; and as long as the Bill continues in its present form it will remain founded upon principles fundamentally unfair, which are not calculated to promote but rather to defeat and baffle the ends of justice.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. J. P. B. ROBERTSON) (Bute): The right hon. Gentleman (Sir William Harcourt) has almost transcended his own transcendant powers of accusation in the charges which he has made to-day in his speech. He has not only accused his own Profession of practices which would certainly have disgraced a Profession of less *prestige*, but he has ventured to accuse the Judges of the land of being about to lend themselves to a partizan investigation for the purpose of defeating opponents of the Government. Would the right hon. Gentleman adhere, in his calmer moments, to a statement of that kind, for no other meaning can be assigned to the words by which he described the Commission as machinery for Party purposes. Does the right hon. Gentleman really believe that three of the Judges of the land would lend themselves to such a disgraceful enterprise? And if he does not personally believe that, what right had he to say what he has said to-night? It is unprecedented for one who has held such high Office as he has, to predict that an inquiry such as is proposed will be used for base political purposes with the consent and assistance of the Judges. Then the right hon. Gentleman has spoken of some of us as "racing for blood." His ambition in rhetoric, as well as in political matters, seems to be to exagge-

rate and outstrip hon. Members sitting below the Gangway on his side of the House. We were told the other night that we on this side were butchers. Now the right hon. Gentleman improves upon that, and talks of us as "racing for blood!" It is but little to say that the right hon. Gentleman has travestied the purposes and effect of this Bill. He has said, among other things, that its effect would be to establish a roving inquiry into the politics of Ireland. Has he, I should like to know, considered what are the accusations which the Commission will have to inquire into? This is what the Lord Chief Justice said the other day—

"They are accused frankly and plainly of abominable crime, not so much perhaps of having been guilty by their own hands, but of having lent themselves to a system which must necessarily be accompanied with crime, and of having personal knowledge of many of the crimes which did accompany it."

That is a compendium of the accusations which are coming before this Commission.

SIR WILLIAM HARCOURT: You have not defined them.

MR. J. P. B. ROBERTSON: The Lord Chief Justice has done so.

SIR WILLIAM HARCOURT: Will the hon. and learned Member undertake that that shall be the issue?

MR. J. P. B. ROBERTSON: The right hon. Gentleman will see the point. The Lord Chief Justice is describing the very question which is to be submitted to this Commission, and he describes it as a frank and plain accusation of participation in a system which must be accompanied by crime. It is preposterous to say that the gravamen of the charge made by *The Times* is not a distinct and unambiguous accusation of complicity in crimes. But the right hon. Gentleman has, to a large extent, misapprehended or misstated the nature of the accusations brought in these articles. The Government do not profess to formulate the charges, for they have been made, and it is not for them to put a gloss upon them. It is only the right hon. Member for Derby who thinks that it should be either *The Times* or the hon. Member for Cork who should declare what the charges are. [Sir William Harcourt: Or a Court.] Well, then, will the right hon. Gentleman object to the Court following the dictum of the Lord Chief Justice of England? The right hon. Gentleman has made a complaint which certainly struck me as being a most flagrant inconsistency. He is exceedingly anxious lest this Commission should adopt methods which are not judicial. Might I ask upon what ground does that suspicion rest? Does it mean that the Commissioners are not to be entitled to follow up clues which are disclosed in the course of the proceedings, or to initiate inquiries into matters which fall within the plain scope of the investigation? Why, the whole object of a Commission of this kind is to ascertain the truth by the direct action of the Judges. Now, I want to know whether the right hon. Gentleman has any doubt as to the justice and propriety of an investigation by the Commission into the general charges which have been made against the Land League? May I recall to his recollection what was said by a high authority about the Land League in former days?—"To-morrow the civilized world will pronounce judgment"—On what?—"On this vile conspiracy." The Land League is an association which depends upon the support of the Fenian conspiracy. Why is the right hon. Gentleman so anxious now that there should be all this reserve and tenderness in abstaining from investigation, which is not promoted by individual interest? Is it that he thinks it undesirable that there should at last be a full ascertainment of matters which have often been made the subject of accusation, and sometimes, perhaps, of random rhetoric? Is it desirable that there should not be a full inquiry now, that complete guarantees for fairness and justice can be established? I cannot profess to take very seriously the argument of the right hon. Gentleman. I cannot but be surprised at the forgetfulness which he shows in the precautions which are suggested as to the real scope of this inquiry. From whichever point of view you like to take it, it is not an inquiry into the rights or wrongs of Mr. Parnell in a question with *The Times*. Mr. Parnell, if he chose, might have sued *The Times* on that ground; but the accusation of *The Times* was not against him as an individual, but as one of the prominent members and agents of an organization. His name is coupled

with the names of eight or ten other hon. Gentlemen below the Gangway, and they are so coupled because those are the men of whom *The Times* said this—

"They are the chief members of the first Home Rule Ministry in trade and traffic with avowed dynamiters and well-known contrivers of murder."

That is the accusation, and it is idle to say that the hon. Member for Cork is now entitled to treat that merely as a private or personal matter of his wrong; he must take his place with those who are accused in the sweeping condemnation which the Chief Justice of England has described as "frankly and plainly made." It has been said that it is not fair that the words "and others" should stand in the Bill, because that introduces more vague and general matter for investigation. The right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) has never got rid of the idea that this inquiry is an entirely domestic one for the House of Commons, and of a purely disciplinary character. We completely dispute that view, because we regard the question as one of inquiring into and investigating matters far above the individual conduct or character of any Members of the House of Commons merely as if they were members of a club—it is treated now as affecting the State, in the interest which it has in clearing political associations from complicity with gross forms of crime. And may I say that the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) gave, I think, a very frank illustration of the absolute necessity for all Parties of the retention of those words "and others?" Mr. Frank Byrne falls under "others;" he is not a Member of the House of Commons, and the hon. Member for the Scotland Division proceeded, I thought, with capital frankness to give another illustration of what he considered would be the proper conduct and result of this investigation. He says that he, for his part, is perfectly content to make a present of the guilt of Mr. Byrne to the Commission, and he adds—"All I say is, I am innocent." But then I should like to hear, under those circumstances, what Mr. Frank Byrne has got to say, and I do not quite see how Mr. Frank Byrne is not entitled to have his conduct substantively inquired into in order that he may stand on the same elevated pedestal as the hon. Member for the Scotland Division. But if Mr. Frank Byrne had more of the chivalry and less of the prudence of the movement, then I should suppose that the intermediate course might be adopted by which both gentlemen would deny the other's innocence and assert the guilt of the other. What is the Commission to do in that case? If the words "and others" are not retained, how should the matter stand? The Commission would be limited by the very consideration which was dwelt upon by the Chief Justice in the last trial—the high inconvenience of investigating substantively the guilt or innocence of third parties, they not being represented in the case. Accordingly, apart from the point of view of this being merely a disciplinary proceeding, it is absolutely impossible it could be successfully conducted if the Judge were fettered by the feeling of reserve which he invariably would have when the substantive charge in the case turned out to be one which was framed against somebody who was absent. In the case of the hon. Member for the Scotland Division, and I take his case not *ad invidiam*, but merely because it was mentioned, the *media* which determine his guilt or innocence are, first of all, the guilt or innocence of Mr. Byrne, and then the relation between the two men. The guilt or innocence of Mr. Byrne is the first step in that inquiry, and I would protest in the interest of justice against such an inquiry being conducted at the peril of the reputation and even the life of a third party if we are merely to concentrate our attention on the comforts of Members of the House of Commons. The right hon. Gentleman wanted to know about the evidence. I presume that a Commission constituted, as this is, of the highest legal ability and experience, would make it very safe that no conclusion is come to which rests on other than indisputable evidence. In all this I suppose I am dragging down the debate to that trough of degradation from which the right hon. Gentleman was glad to see it raised. But did the debate survive the right hon. Gentleman's own speech, or am I the first to have dragged it down to a lower level than that from which it was raised by the right hon. Member for West Bir-

mingham (Mr. J. Chamberlain)? A heavy responsibility rests upon anyone who on the threshold of the inquiry attempts to diminish the authority of the Commission or lower it in public esteem. With regard to the right hon. Gentleman's animadversions on the conduct of the Attorney General, is there a lawyer in the House who responds to that accusation? Remember what was the position of my hon. and learned Friend in that case. He, for *The Times*, it is true, disputed that Mr. O'Donnell was the object of attack in those articles; but that was a matter upon which he necessarily had to anticipate that the Court or the jury might go against him. Mr. O'Donnell appreciated and appraised much more highly his own political importance; but, looking at the facts as brought out in those articles, I am bound to say that I think that his case was not so contemptible on the question of association of the character which was denounced. What I venture to ask my brethren of the Legal Profession is this—could any counsel, with a due sense of the safety of his client, be supposed to disclose his whole case in opening to the jury? Was it possible to state everything upon what was comparatively narrow ground, and not to present in its length and breadth what the Chief Justice said in the end are fair and frank charges, to whomsoever they may apply? One word as regards the probable result of this inquiry. I cannot understand the hesitation which seems to paralyze the action of hon. Gentleman on the other side. If they consider what the result will be—of the acquittal which they pronounce to be so certain—it will restore to them not merely the respect of good men, but it will restore what always goes along with it, the hatred of bad men. It will deprive them of what I am sure they must feel now to be a kind of praise which is far more injurious than the foulest libel. It will show to the people in America who who are concerned in the dynamite doings that they have been mistaken, and that the world has been mistaken, in supposing that the two wings of the Party afforded to each a licence; the men of murder affording a licence for fine speech to the men in Parliament, and the men in Parliament affording a licence to them to trade in dynamite. That surely is a result which, in virtue of acquittal being certain, ought to be welcome, and coupled with that there will be another relief, which I am sure will also be most welcome; they will no longer be trammelled by the receipt of money to which their virtues disentitle them. I read the speech which the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) made at Morpeth the other day, and I was surprised at the inadequacy of the arguments by which he supported the paltry opposition which has, in the end, been offered to this Bill. I was not surprised that at the last he began to "babble of green fields." I was not surprised that he professed he would far rather have been out of what he felt even then to be a very bad business. But I am a student of the right hon. Gentleman's writings, and I would congratulate him on having now an opportunity of ceasing from what he described in one of his writings, regarding a political character in the last century of far less fair fame than the right hon. Gentleman—

> "It would have saved him and his colleagues from the invariable habit of leaving violence and iniquity unrebuked, of conciliating the practitioners of violence and iniquity, and of contenting themselves with the inward hope of turning the world into a right course by fine words."

Mr. T. M. HEALY (Longford, N.): It is somewhat remarkable that the advocates of the Government in this debate have all been concerned as counsel for the defendant in libel actions; and while we have the hon. and learned Attorney General (Sir Richard Webster), on the one hand, acting as counsel for *The Times*, and then coming down to this House to show the other side of his nature, as if possessing some intellectual bulkhead which enabled him to distinguish between the counsel for *The Times* and the Attorney General of the Government, and while we have him acting as drawer and drafter of this Bill, we have the hon. and learned Solicitor General for Scotland (Mr. J. P. B. Robertson), who is so fully assured of our connection with dynamite and dynamitards, whom we find to have been the leading counsel for *The Glasgow Herald* in an action for libel which that journal admittedly made against my hon. Friend (Mr. William O'Brien) the Member for North-East Cork. *The Herald* charged him with

having, at Birmingham, regretted that something interfered to prevent another victory in the Phœnix Park being had over the right hon. Gentleman the present Chief Secretary for Ireland. But that case is different from the one before the House—first, because there is the distinct and definite charge that he, in his speech at Birmingham, had said that he regretted that the right hon. Gentleman could not have been mutilated in the Phœnix Park. Second, for the additional good reason, that you have a verdict by the majority in Scotland. The hon. Member for North-East Cork had, therefore, some chance of obtaining a verdict. Perhaps, after the interposition of the second counsel for the second libellous journal we may trust that the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) will not expect that this debate will be closed at the dinner hour. I would propose to remind him that considerable amplitude has been given to the debate by the remarkable suggestions of the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), with which I shall deal by-and-bye. But may I venture, first of all, to refer to the frank, off-hand manner in which the right hon. Gentleman said if he were attacked, he would seek an English jury, and if he could not get an English jury he would seek a Scotch jury, and if he was denied both an English and a Scotch jury, he would take as a *pis aller* an Irish one. Well, Sir, being sometimes a student of legal lore, I venture to believe that in the text book on the Law of Libels there is to be found a leading case known as "Chamberlain *v.* Marriott." That case, which anybody can refer to who chooses to send down to the Law Library of the House of Lords, lays down a most important proposition. They will also find that the defendant in this matter is no less a person than the right hon. and learned Gentleman the Judge Advocate General of England, and that the plaintiff, strange to say, is no less a person than the right hon. Gentleman the Member for West Birmingham. But what became of the action? Why did not it go on? What happened it? Is the right hon. Member for West Birmingham still in the flesh? I think so. Is the Judge Advocate General alive? There can be no doubt about that either; for he went to Egypt the other day, and like the rest of the immaculate Gentlemen of the Treasury Bench, who do everything for nothing, pocketed large sums of money for doing work in aid of that other immaculate gentleman, the Khedive of Egypt. Why did not the right hon. Member for West Birmingham proceed with his action? The reason is plain. What were the accusations made against the right hon. Member for West Birmingham? That he crushed his own rivals in the screw trade. That he made "corners" against them for the purpose of ruining them. That this right hon. Gentleman, who is in the habit of wearing choice orchids in his buttonhole one day, and the next day writing cheques for large amounts, crushed his trade rivals, and used his position as the head of the Birmingham Caucus to become, as it is now the fashion to style the proceeding, a sweater in the screw trade. Where is the Party now? Where is the libel action now? Why did the action of the right hon. Member for West Birmingham, the right hon. Gentleman who was so eager to get an English or a Scotch or an Irish jury, why did his libel action vanish into thin air? I think I remember another action, in which he himself and many of his numerous brothers and brothers-in-law were concerned, before he became the curled darling of Dukes and Duchesses, when his brother was refused admission to the Reform Club, when he was blackballed, and when an action was threatened against the gentleman who blackballed him. Somehow, Mr. Speaker, it never came off. For such Gentlemen to get up and tell us—who have not only personal but national and international questions to consider—for the right hon. Gentleman to taunt us with our reserve in facing a British jury, seems to me a little too fine. I will now tell the House very plainly my opinions. An English jury is now cracked up to us as the height of everything that is admirable. Then why was it that the right hon. Gentleman the Member for West Birmingham and the noble Lord the Member for Rossendale and his Friends, who now recommend to us an English jury—how was it that when Her Majesty's Government last year, in the Coercion Act, proposed to refer Irish trials to the Old Bailey; how was it that, under the pressure of the Liberal Unionists, that clause was struck

out? Was not the reason quite plain? It was rightly said, because we will not permit the question of national prejudices to stand in the way of justice between Englishmen and Irishmen, and in the way of a fair trial. It is said that a Committee of this House would not be a fair tribunal, and that jurymen are purged by some curious process, and that they shake off their bitter passions when they pass the sacred barrier of the jury box. They would not trust 12 Members of that House; but they would commit to 12 Cockney shopkeepers the trial of this most important issue. What is there different in the nature of Englishmen, whether they be Members of Parliament or non-Members of Parliament? Surely, if you want a special jury, is not this House the best special jury? We are told that the London shopkeepers are unprejudiced. Who says so? If you are to say to us that they are unprejudiced, it does not lie in your mouth to say that this House is more unprejudiced; and if we are willing to take a Select Committee of a majority of our enemies upon it, surely we who are to run the risks are the proper persons to decide whether we should run those risks or not. The right hon. Gentleman the Member for West Birmingham said, and the hon. and learned Solicitor General for Scotland also touched upon the point, and said, the Government refuse to strike out "other persons" from the Bill, because it may be that at some place a point of detail may be discovered between the crimes of other persons and the crimes of Members of Parliament. What would prevent you inquiring into that if "other persons" was struck out? The fact that X and Y are named in the Bill, though no one is brought into approval with the crimes of X and Y, that will not stop you from inquiring into their crimes under this Bill. The hon. and learned Solicitor General for Scotland said by a sort of innuendo—when we are asked to believe that the Government are so entirely anxious for fair play in this matter—he says we are also anxious to give Frank Byrne an opportunity of proving, if he got the chance, in addition to proving his own innocence, he would prove the guilt of other persons. May I ask under the Bill how you are going to get at Mr. Frank Byrne? You will have your Commission, and I just fancy your Commission sitting in the Bowery at New York with respect to the conduct of Mr. Frank Byrne, and you will have the hon. and learned Gentleman the Solicitor General for Scotland, the leading counsel for *The Glasgow Herald*, going over to New York for nothing—the Members of the Government do everything for nothing—going out to New York and asking Mr. Frank Byrne to walk into his parlour. I cannot imagine a greater absurdity than the supposition that men in America, who do not care a farthing about your Commission, are going to tell you that they have committed crime, and that they will do so in order to get what to them would be worthless, a certificate from three London Judges. That is one of the most extraordinary and childish things I ever heard of. We are asked now to treat this Bill as a serious measure. I am anxious to treat it as a serious measure. We are told by the right hon. Gentleman the Member for West Birmingham that the first thing to be got at is the truth. When the hon. and learned Attorney General for England had the opportunity of proving the truth in "O'Donnell *v.* Walter," why did not he seize upon it? The Home Secretary said last night, and certainly if he used the words in the sense I attribute to them, they seem to have been conceived in the spirit of the Dungarvan days. That is, that they are words that, on future occasions, it would be possible to make upon them a different interpretation. The right hon. Gentleman said, and I noted his words, "these statements"—meaning the statements of the Attorney General at the trial—

> "These statements were repeated in the most solemn manner with the offer of proving the truth of the allegations."

Where was the offer of proving the truth of the allegations made by his confederate beside him? When the hon. and learned Gentleman had the opportunity, what did he do? Of all the forensic indiscretions of the hon. and learned Gentleman—I should be out of Order if I referred to the hon. and learned Gentleman's conduct as acts of indecency—therefore, I say of all the acts of indiscretion of the hon. and learned Gentleman, his late action is the worst. Of course, he acted without pay—disdaining the vulgar lucre of *The*

Times, scratching out with his pen the very large number of noughts that followed the first figure in the amount and tearing up the cheque, and for two days, first thundering with his carronade and then his big gun, at one time charged with the bullets of Patrick Ford and another with the dynamite of Dr. Gallagher. After 18 hours—"Oh, lame and impotent conclusion!"—he appealed to the Judge, saying—"Does your Lordship think we need go into our case?" Mr. Speaker, I am a very poor man. I have never probably earned as many guineas in my life as the hon. and learned Gentleman has in *The Times* case. But if I were instructed to make a series of the most abominable charges—including murder, hypocrisy, villany, assassination—every combination that a man could cram into 18 hours of declamation—and then, at the conclusion of my oratory, I had to ask the Judge, "Need I go into my case," all I can say is, I would tear the stuff gown off my back before I would do it. And then what does he do? Reference has been made to Dr. Jekyll and Mr. Hyde. The hon. and learned Attorney General, having acted his part as Mr. Hyde in the Royal Courts of Justice, came down to the House of Commons as Dr. Jekyll, and with a sanctimonious smile of primitive virtue began to draft the Bill, from which, however, he had the modesty to exclude his name. And we are asked to believe in the *bona fides*, and the good faith, nay, the generosity, forsooth, of Gentlemen capable of tactics of this kind. We are asked to believe them when they assume a virtue which we know they have not. I can only say this—men are charged with complicity with assassination and crime of all sorts; but if those men so charged by the hon. and learned Gentleman had committed the crimes, I believe they did not do it for pay, not for cash—they did it in the mistaken notion that they were serving a political cause. I deplore and condemn that mistake; but what am I to think of the men who would do what I have described, and would do it for the sake of a few guineas? I can only say, Sir, if where Frank Byrne now resides in that free and great Republic, we were to empannel a jury of American citizens, impartial as between man and man, knowing nothing of the prejudice of either country, and if they were asked which they would prefer to be—the man who makes a series of charges of murder, blasting the character and reputation of 80 or 90 men, occupying at least in their own little country positions of some importance, if they were asked whether they would rather be that man, or the man who mistakingly committed murders for a good purpose such as Mazzini approved, I believe the American jury would prefer the cause and the actions of Frank Byrne than those of the Attorney General. Why does not the hon. and learned Gentleman speak? Why is he glued to that seat? Why is the right hon. Gentleman the Leader of the House so anxious that the debate should close? What about the hon. and learned Gentleman's duty to Her Majesty? I presume, on taking Office, he took the oath to disclose all treasons, crimes, and murders, and with all this weight of testimony, why does he not produce the testimony of our guilt and hunt us from public life? What is restraining him? His restraint is his position as Attorney General, which is worth £8,000 a-year; but what would be the worth to the nation if he were to resign his office as Attorney General, if he were to take his old position below the Gangway, and then being free from official embarrassments, and shaking of the clogs of filthy lucre, he were to earn a national testimonial from the British Empire by saving its fair bosom from the foul charges that lie upon it, owing to the presence in this House of 86 assassins? I can only say to the hon. and learned Gentleman that preceding Attorney Generals have not done as he has done, and succeeding Attorney Generals, I believe, will not do so. For myself, I said last year, on this debate, that were it not that we have appealed for justice to the English people on our own character and our own position, we would not care a pin about the attacks of *The Times*. Sir, we dwell amongst our own people. We know what our people think, and we do not live in the region and atmosphere of Old Bailey in London. We live amongst the Irish people, and the attacks of a London journal, when our consciences are free, have no effect on us or our positions. We know what our own people say of us, and as to what *The Times* says of us we do not care a snap of our fingers. It is only because we believe it might

have the effect of prejudicing voters in this country, and only on that account, that we feel it touches us, and that we deem it necessary to ask for some vindication. What is the vindication offered to us? We are offered a Commission of three Judges. I do not know anything about those three Judges; but I will say this—that the three Judges should have their work cut out for them here in the Bill. And I think I detect the hand of Dr. Jekyll and Mr. Hyde in this portion—

"The Commissioners," says Mr. Hyde, "shall inquire into and report upon the charges and allegations made against certain Members of Parliament"

—not into the charges and allegations of crime, but complicity with crime. It is said of me that I myself have been at the Chicago Convention. Well, I went out to Chicago, and there I met Patrick Ford. Very well, is that a crime? I did attend the Chicago Convention, and I shall be able to give the Commission some lovely tales about it. I will tell them one thing about the Chicago Convention and Patrick Ford, which will show exactly the amount of complicity between us and the so-called dynamiters that we are supposed to be receiving money from, in the words of the hon. and learned Solicitor General for Scotland. What happened at the Chicago Convention—a Convention one of the greatest that ever was held of the Irish race, numbering 1,000 delegates from all parts of America, where hon. Members opposite might naturally suppose that Patrick Ford and *The Irish World* would be received with an "Hurroo!" and that everything about Patrick Ford would be regarded, so to speak, as almost gospel? One mistaken and misguided individual got up at the close of the proceedings to propose a vote of thanks to *The Irish World*, and will it be believed that, out of 1,000 delegates, he could not find a single seconder. The motion was howled down with execration. I was also with Patrick Ford on a Committee of Resolutions. Patrick Ford was not on the committee; but there was some question about a resolution approving of "no rent," and the curious thing was that these extreme gentlemen would not approve of "no rent," and someone brought in Patrick Ford, who hastened into the committee on resolutions, where he had no business; and I will never forget the look of hatred on the face of a gentleman, one of the prominent members of the meeting. That gentleman, an honest Federal officer in Baltimore, Colonel Tivohill, called for Patrick Ford's instant expulsion from the Committee, and the man had instantly to leave. That, then, is one of the gentlemen we have been plotting with—the dynamiters, &c. Patrick Ford, I believe, so far as he is personally concerned, is as honest a man as the hon. and learned Attorney General; indeed, from my experience, I should rather say more so, because what Patrick Ford has done, if he has done anything to bring himself within the reach of the law, he has not done it in the way of trade. He has not attacked the English people in the way of trade, and then advised the English people as to how they can escape from these attacks, which were really not meant; but I say, as I am charged here—and I heard it last night for the first time from the hon. and learned Attorney General—with being in trade and trafficking with these men in America for the purposes of murder—let them search out in every place I went to in America, and I spoke for three or four months—the hardest task I ever went through in my life—having visited 60 or 70 cities, and I defy them to put their hands on one word—even one word—or statement of mine in those wild American cities, as you call them, which I would not repeat, and repeat gladly, in this House.

COLONEL SAUNDERSON (Armagh, N.): Would the hon. and learned Gentleman say what year?

MR. T. M. HEALY: Certainly, Sir. I went there in October, 1881, and I came back about March, 1882. But the hon. and gallant Gentleman will get it all in Scotland Yard. We had our eyes open when we were in America. I was going to say, let some definite charges be made. But the right hon. Gentleman the Member for West Birmingham says "no," because in Broadhead's case there were offences proved of which nobody had suspected him before, meaning thereby—"I sat with the Member for Cork for a long time, and I was very intimate with him, and I made the Kilmainham Treaty with him, and I never suspected him; but make a fishing inquiry, as in Broadhead's, and who

knows into what depths of blood this Irish Bluebeard will not be found to have plunged?" What I say is this—Are we going into a fishing inquiry? What I understand is that we should meet certain definite charges which are to be made, but I decline to submit to a fishing inquiry. I am not going to be brought before a Commission where I might be asked—"And so you were born in 1855?"—"Yes." "Very well; what did you do next?" I answer, "I don't know." The Judge says—"You cannot explain yourself?" and thereupon counsel for *The Times* is to make an allegation against me, because I forgot exactly. What I say that we are entitled to is this—You should formulate the charge against us, and not proceed on a fishing expedition such as that the right hon. Member for West Birmingham went to Washington upon. We do not want these three Judges to be three Cod Commissioners to take evidence at Washington. We want them to put their finger on a particular charge, and then ask us to reply "yea" or "nay," or what we had to say in reference to the matter. I was about to refer to the three Judges—one of them we know is Justice Hannen, the Judge of the Divorce Court, though in what particular the functions at the Divorce Court have fitted him for trying this particular case I do not know. The second Judge is Mr. Justice A. L. Smith. Why he has been appointed I also do not know, unless it is as a delicate compliment to his namesake, the First Lord of the Treasury, and in order to appeal to the widest section of the English democracy, I am unable to state; but I hope Mr. Justice Smith, when I come before him, will not on account of these observations deny me a certificate of innocence. The other Judge is Mr. Justice Day. I sent for a copy of *The Times*, but, unfortunately, it is against the Rule of the House—which, like many other Rules, seems to me to be a great absurdity—I am not allowed to have it brought in. But if anyone will turn to the columns of *The Times* they will see how Judge Day acted at the Belfast Commission. I am not now attacking Judge Day, for it would be dangerous to attack a Judge from whom you hope to get a certificate of innocence. Judge Day was appointed on that Commission, said *The Times*, this morning, falsely, by the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley). He was not. The fact was that the appointment was not made until the Tories came into Office in 1886, and he was appointed by the present President of the Board of Trade (Sir Michael Hicks-Beach) to the Belfast Commission. Now a serious thing occurred, and if you turn to *The Times* of the 6th October, 1886, you will see exactly what happened was this—A member of the Bar, a well-known and distinguished member of the Bar, Mr. O'Shaughnessy, who appeared on behalf of the Catholics of Belfast, asked to be allowed the right of cross-examination, and Judge Day refused. Then Mr. Kisbey, a gentleman who is since not unknown to fame, appeared on behalf of Lord Enniskillen and the Grand Orange Lodge of Ireland. And you will remember, as an incident of the present campaign in Ireland, that that gentleman, who appeared as counsel for the Orangemen of Ireland, has since been promoted to be the Judge of Mr. John Dillon, also asked for the right of cross-examination on behalf of the Orangemen, and he was also refused; in fact, anything to equal what I would call the snub the Judge administered to poor Mr. Kisbey I have never seen. It was—"We do not want you." Then Mr. Kisbey, on behalf of the Orangemen, and Mr. O'Shaughnessy for the Catholics, with the rest of the members of the Bar, retired in a body, and they passed a resolution protesting against the conduct of Judge Day, and *The Times'* Dublin correspondent, the morning afterwards, takes up Mr. Kisbey and condemns Judge Day. Well now, Sir, is that the way we are going to be treated? Are we, when the hon. and learned Solicitor General for Scotland goes out to interview Mr. Frank Byrne, or to Zululand to interview the surviving members of the Carey family, who are said to be located there, are we to be denied the right of cross-examination, because the Judge thinks this a matter in which we must not interfere, as it is not in the charges? I admit the Bill allows examination and cross-examination, but only under particular circumstances; but that is not the absolute right of those who are charged, which we require. We claim that the charges shall be formulated,

and that there shall be some persons present entitled to look after our interests. We also claim from the hon. and learned Attorney General—for he is the father of the Bill—that he shall put in the Bill exactly charges that we have to answer, and, furthermore, that he shall give us some *primâ facie* proof of those charges, before we are called upon to deny or answer them otherwise than by handing in a copy of a magnificent oration, which he delivered at the Old Bailey or at one of the Courts of Justice. That, Sir, I conclude to be our position, and when the right hon. Gentleman the Member for West Birmingham alluded to the question of costs of counsel, I think I am entitled to put in a word on behalf of costs of witnesses. Again, where is the Commission to sit? Is it to sit in London, and are we to have witnesses brought to London from the depths of Connemara? How would the First Lord of the Treasury like to be dragged over from Galway without a five pound note to pay his expenses? Do you expect the Maamstrasna peasants to come down from their mountains, in their wild manner, bringing their interpreters with them, to the Royal Courts of Justice, London, without allowing them a single sixpence as *viaticum* for their expenses? Why should the Commission sit in London? If it is to take cognizance of Irish matters, why, then, should not the Judges sit on the scene of their inquiry, and in the country which it concerns? A more monstrous thing was never proposed. It is bad enough for 80 Members of Parliament to be made seasick three or four times a month, because it suits your Imperial convenience to bring us here; but why should the penalty be inflicted upon the witnesses who are to come over to the scene of your judicial inquiry? In brief, these are some of the allegations which we have to make against this Commission. We say the fair and proper tribunal would be the tribunal of a Committee of this House, and this House alone is cognizant and can take cognizance of the action of its Members, and it is no answer to say to me—"We want to inquire into the conduct of other people." If you do, bring in a Bill for that purpose, occupy your Autumn Session with it. Occupy next year with it. We have asked, with reference to a specific matter, that this House should deal with it, and you have no business to tack on to that other matters to suit your own purposes. The Commission is represented as being given to us out of your generosity as a boon. Let it be so. If that is true, it should be so framed as to enable us to answer the charges made against us. For you to have the framing of it, for your counsel and advisers to have the drafting of the indictment, and then to plead that you have been actuated from the earliest moment by nothing but a desire for our own interests, is to tell us something that we entirely decline to believe. For these reasons, I am of opinion that when this Bill goes into Committee, it will be necessary for us to subject it to necessary criticism, and to move Amendments first and foremost to prevent witnesses being kept here and detained for months without getting a penny for expenses; second, to provide that every party shall have at all times the right to be heard, either by himself or by his counsel; next, that the expenses of the investigation should be provided for; also, that the charges shall be made so that we shall not be called upon to plead, so to speak, until the charges have been at least *primâ facie* proved. There was good sense, I must say, in one of the observations of the right hon. Gentleman the Member for West Birmingham, when he said that he did not want, practically, to inquire into such matters as Boycotting and speeches at Ennis in the year 1881. That is common sense. If you take specific matter, it can be inquired into, its causes and origin, and that would be better done by a Committee of that House upon which a majority of hon. Members opposite would have been appointed. From such an inquiry the Irish Members do not shrink. Besides, if you are going to make inquiries into what results followed from these speeches, you might also inquire whether the blood spilt at Belfast flowed from the speech of the noble Lord the Member for South Paddington (Lord Randolph Churchill). You might also have to inquire whether fighting in Ulster was recommended in the speeches of the hon., gallant, and humorous Member for North Armagh (Colonel Saunderson). These are matters of speculation. The human mind is a speculative instrument, but it cannot, so to speak, define exactly with reference

to matters of that sort what has been the cause and what has been the effect; but if you take specific matters they can be inquired into. The right hon. Gentleman the Member for West Birmingham says that a Commission of this House would have been jury as well as Judge; but is not your Commission composed of Judges as well as juries? The Commissioners will be both. When all is over what will we have gained? The hon. and learned Solicitor General for Scotland said we should have gained the good feeling of all men. Much we care for the opinion of the hon. and learned Gentleman opposite—much we care for his good opinion, or for the opinion of his Colleagues. Much we care, for instance, for the opinion of such of the Colleagues of the First Lord of the Treasury as the hon. and gallant Member for Rochester (Colonel Hughes-Hallett). Your good opinion or your bad opinion does not weigh in our opinions a feather's weight, but as it may affect the minds of the electors of this country. On that ground, and on that ground alone, if it were necessary to clear our characters as members of the first Home Rule Ministry, I have no objection to an inquiry. But it seems to me that if this is proposed in order to brand the first Home Rule Ministry as a gang of murderers, a much simpler way would be to insert a provision into the first Home Rule Bill that Charles Stewart Parnell, Justin M'Carthy, your humble servant, and the Lord Mayor of Dublin shall take no part in the future administration of Ireland. Put that in your Bill, and if that is your only objection to Home Rule, I, for one, will gladly accept it. The Irish cause is a permanent and a living cause. If your objection to Home Rule is that we, at a Convention, met Patrick Ford, then take measures in your Home Rule Bill accordingly. I appeal to the English electorate, even if these charges were proved to be true, not to judge the sacred cause of Ireland by any such gauge or measure. The sacred cause of Ireland has embalmed within it the principle of Nationality which Englishmen in all times and in all ages have worshipped, aye, and have died for. We, for the moment, it is true, are the Representatives of that cause, and shall perish and pass away; but there will come those after us who, whatever happens to us, will carry that cause forward. Do you think you can put a big gravestone on the cause of Ireland by proving the truth of the libels in *Parnellism and Crime?*" I defy you. The spirit of Ireland which has risen superior to the million calumnies with which you have poisoned the ear of the world, rises defiant and resplendent against all your attacks. In the name of the Irish people, we, on their behalf, bid you defiance, and we tell you to do your best and your worst against the spirit of Irish Nationality.

MR. BALLANTINE (Coventry) said, he ventured to submit that the hon. and learned Attorney General would have felt it his bounden duty to advise that criminal proceedings should be initiated if there had been any evidence against the Irish Party. He thought that nobody could consider it unreasonable that the hon. Member for Cork (Mr. Parnell) had declined to submit his case to a London jury, and, in his opinion, this Commission was an unsatisfactory solution of the question, and was not more calculated to give the hon. Member justice. He (Mr. Ballantine) had not a word to say against the *personnel* of the Commission. There was no suggestion that any one of them had any political bias, though it might be alleged against the President (Sir James Hannen) that for the greater part of his life he had been engaged in repealing the union and in creating separations; but they, like a jury, would enter into the inquiry —whatever their intentions might be— having had their minds saturated for the last five years by the slanders of society and the articles in *The Times*. He believed the Commission was offered by the Government, not in order to clear a Colleague, but with a view to condemn and destroy the character of the hon. Member for Cork, and in the hope that it would indirectly annihilate Home Rule. For these reasons, therefore, he was convinced that neither a Commission nor a jury would afford a satisfactory solution of the case, and that the only right and just solution would be a prosecution by the Attorney General.

MR. LOCKWOOD (York) said, I should not have joined in this debate but for the challenge of the hon. and learned Solicitor General for Scotland (Mr. J. P. B. Robertson). The hon. and learned Solicitor General for Scot-

land threw down a challenge to any Member of the House who had the honour to belong to the Legal Profession, to justify the comments which were made by the right hon. Gentleman the Member for Derby (Sir William Harcourt) upon the hon. and learned Gentleman the Attorney General (Sir Richard Webster), and the hon. and learned Attorney General knows me well enough to know that in what I am about to say, I am not actuated by any feeling other than by one of personal regard for him. He knows that I shall do nothing that is in contradiction of the strong personal regard I have for him. But I should be a coward, and not worthy of being a Member of the Legal Profession, if I, agreeing in the main with the criticisms of the right hon. Gentleman the Member for Derby, allowed professional and personal considerations to prevent me from taking up the challenge thrown down by the hon. and learned Solicitor General for Scotland. What is the fault that is found with the hon. and learned Attorney General? It is this—That being called upon at the conclusion of the case for the plaintiff in the recent trial to represent the parties whom he was representing, he had open to him, as every counsel in the discharge of his duty has, one of two courses, either to submit to the tribunal that there was no case for him to answer, or to submit such a case as he had in answer to the case made on behalf of the plaintiff. What was the course which the hon. and learned Attorney General advocated? In the discharge of what he considered his duty, he made a speech to the jury for some 18 hours, and at its conclusion made to the Judge an appeal which, if it had weight and force in it, ought to have been made at a much earlier stage of the speech. After commenting upon the conduct of Mr. O'Donnell in not going into the witness-box, his hon. and learned Friend said—

"Gentlemen, it is my duty now so to conduct the case that he never can be allowed to go into the box as a witness. *The Times* has not charged him with any complicity with crime. It has made no charge against him, and I ask his Lordship to say that it will be a most serious scandal to justice if, on the one hand, *The Times* should be sued in such an action without the means of obtaining evidence, and that, on the other hand, these third parties should be dragged into court by a man who knows that their innocence cannot be fairly tried in such an action."

And before the conclusion of that speech the hon. and learned Attorney General said—

"I ask, my Lord, for your guidance to say what our position is."

Now, no one knew better than my hon. and learned Friend that if there was any doubt as to his position, and if he lacked guidance, it was at the earliest stage of his speech that he should have appealed to the Judge for that guidance. It is only fair to the hon. and learned Attorney General—who appeared for some reason to be tongue-tied in this debate—that I should call the attention of the House to a portion of his speech which seemed to be an explanation and justification of the course my hon. and learned Friend was then pursuing. On page 128 of the pamphlet I found my hon. and learned Friend saying—

"I do not know what course, gentlemen, the Lord Chief Justice may take, but it was impossible for me to submit any case to him until the case had so far been gone into and all the articles read."

Did the hon. and learned Gentleman say that applied to the whole of his speech? What possible light could he throw on the case from the point of view which my hon. and learned Friend was endeavouring to demonstrate by spending, for example, some hours in a disquisition upon the handwriting and a comparison of the letters of the hon. Member for Cork? The hon. and learned Attorney General may have intended only to deal with such portion of his case as was necessary to show the scope of the operation of the Land League, in order afterwards to demonstrate that Mr. O'Donnell had no connection with that organization, but he must now realize that many portions of that speech, that many bitter accusations, and many, as we believe, terrible, false imputations were made upon men in their absence, when, to use his own words—

"They had no opportunity of meeting those charges, and proving they were innocent, if innocent they were."

I am sure, from what I know of my hon. and learned Friend, that it is only necessary to point out how grave those accusations were, and that they had no relation whatever to the matter he had to lay before the Court; for him to admit that, it would have been better had they been left alone. Probably if

he had again to discharge that which I believe was a difficult task, he would use his discretion in the matter. Had he used his discretion on the recent occasion I should have been spared that which has been no pleasant task, namely, to accept the challenge of the hon. and learned Gentleman the Solicitor General for Scotland, and to point out in the humblest way, and with no intention of pointing it out with ceremony, where I think the hon. and learned Attorney General committed a great error of judgment. The hon. and learned Solicitor General (Sir Edward Clarke), in his speech, spoke of hon. Gentlemen below the Gangway as being able, if the charges were false, to recover damages which would satisfy their cupidity, which was a most offensive term.

SIR EDWARD CLARKE: I did not speak of their cupidity at all. [An hon. MEMBER: Quote.] I said they would be able to recover damages sufficiently large to satisfy revenge or cupidity.

MR. LOCKWOOD: Aye, and whose revenge? We are playing with words. If my hon. and learned Friend did not allude to the cupidity of hon. Members, whose cupidity did he allude to? And did he mean to suggest that compensation for men who were accused of complicity in murder was to take the form of pounds, shillings, and pence, which was to appease their cupidity. And let me also follow the hon. and learned Solicitor General for Scotland in some other observations he made. It occurred to me at the end of the debate last night that those who had addressed the House from the opposite side appeared to deal with the suggested Court of Inquiry as though they wished to press home the charges against hon. Members below the Gangway, charges which, apparently, from the tone and temper of their discourses, they implicitly sought to believe. I was glad when the debate was resumed to-day to hear from the hon. Member for Oldham (Mr. Lees), and also the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) suggestions calculated to bring the opposing parties in the House very much nearer together. I think we were very near together at the conclusion of those speeches; but when the hon. and learned Solicitor General for Scotland rose he very soon threw all the fat he could command into the fire. Whether it was the signal of the right hon. Gentleman the Member for Derby who stirred up his national enthusiasm or not I canot say, but he proceeded to do that which he deprecated in the speeches which were made last night. He talked of dynamite plots and plotters; he talked of resources derived from persons who are deeply involved in terrible crime, and whilst he thus spoke he addressed himself to hon. Members sitting below the Gangway in a tone and temper which, I think, did away entirely with the good which might presently result from the pacific utterances of the hon. Gentleman to whom I have alluded. So much for the tone in which the debate has been conducted. Well, the right hon. Gentleman the Secretary of State for the Home Department (Mr. Matthews) in the studied manner, the studied action, and the studied gesticulation—derived from I know not where—over and over again emphasised the suggestion that it was not his intention to prejudge the charges made against hon. Members of this House. Well, I ask, was he honest in what he said? If his words were words of truth and candour, and not words of humbug, they were words most unfortunately selected for the purpose of indicating to the House what his opinions were on this most important question. There is another question of some importance upon which I wish to say a word. We have heard the accusation made over and over again that there have been private communications between the Government and some persons connected with *The Times* newspaper. When I first heard the imputation made I expected that there would be a competition between hon. and right hon. Members opposite as to who should be the first to rise to indignantly repudiate the truth of the imputation. For what is the position of matters? We have here two parties to a proceeding—*The Times* newspaper on the one side, and the hon. Member for Cork on the other; and is it possible that right hon. Gentlemen opposite could have been in communication with one of the parties, or with any person connected with one of the parties—that is, *The Times* newspaper? The question has not been answered. I anticipate the hon. and learned Attorney General—if he were

not tongue-tied—would have answered; and I can only imagine, as a reason for no answer being given, that the hon. and learned Gentleman might say that the accusation is improbable and absurd, and it carries its own refutation. It might be all very well to treat such a charge with contempt under other circumstances; but this matter is too serious for such a line to be taken up. The Government cannot afford to treat the imputation with contempt. When I look at this Bill—which, in the ordinary way, would have been prepared by the Law Officers of the Crown, and would have the hon. and learned Attorney General's name upon it—I do not find the hon. and learned Gentleman's name there; but why is it not there? Is it because it is not deemed desirable to let the public see that the Bill has been drawn up by the counsel for *The Times?* Were they afraid that the public might think that *The Times* had themselves prepared the Bill? Is that the reason—and it is a very good reason—why the name of the hon. and learned Attorney General does not appear upon the back of the Bill? It would be a terrible state of things if the Government were to shrink from the consequences of allowing the hon. and learned Attorney General's name appearing upon the back of the Bill and yet consulted with him in private with regard to it. If there is no harm in the hon. and learned Attorney General being consulted in private, what harm will result from his name appearing on the back of the Bill? But if the fact of the hon. and learned Attorney General's name appearing on the back of the Bill will carry suspicion to the minds of some persons—and I can assure the hon. and learned Gentleman that it carries no suspicion to my mind—I can understand why the hon. and learned Attorney General's name does not appear there. The hon. and learned Gentleman does not intend to favour the House with any observations in connection with the part he has taken in framing this Bill; but whether the hon. and learned Gentleman does so or not, I protest against this debate being closed without some responsible Member of the Government having either the courage to avow, or the honesty to adisvow, the charge which has been made over and over again in the course of this debate; and if hon. Members opposite do not understand the nature of that charge, I will repeat it. We want to know upon authority, whether it is true or not true that, in this dispute between two parties, the Government has entered into private consultation with one of the parties, and allowed that party to dictate—I will not say dictate—to advise them as to what is to be the kind of tribunal to which should be entrusted the power of inquiry into these charges, whereas the other party could only in their public place in the House of Commons pronounce a criticism upon the measure after it is produced. The hon. Member for Cork has pointed out faults in this Bill which have been apparently recognized by the right hon. Gentleman the Member for West Birmingham; but if the Government have doubts as to the wisdom and convenience of entrusting to this Commission the investigation of vague and general charges such as it now appears to embrace, let them enter into communication with those eminent men whose names have been mentioned in connection with the Commission. Will the Government, I ask, leave it to those eminent men to say what shall be the scope of the Commission? If the construction which has been put upon the Bill is correct, especially with regard to the introduction of the words "and others," the Government appear to have dictated to those learned Judges that they should enter upon an inquiry into vague and general matters which have no bearing upon any specific charges against hon. Members of this House. I think it was the hon. Member for Cork who challenged the Government as to why they have not thought fit, if they believed him to be the associate and accomplice of assassins, they did not put him in the dock as a criminal, instead of bringing in this Bill? To which the hon. and learned Solicitor General (Sir Edward Clarke) replied that they did not wish to shut the mouth of the hon. Member for Cork. I cannot think how hon. Members opposite who make these charges can expect hon. Members below the Gangway to sit down calmly and listen to them without showing resentment. How was the challenge of the hon. Member for Cork to prosecute met by the hon. and learned Solicitor General? The hon. and learned Gentleman let out the fact that the case of *The*

Times or the Government—for they are the same—depends not upon affirmative evidence, but that they rely upon a badgering cross-examination to get up a case, hoping that in throwing plenty of mud some of it may stick. Then, coming to the point with regard to the discovery of the documents for which the hon. Member for Cork asks—and, I must say, asks for with reason—it is only right that he should have an opportunity of inspecting the documents relied upon when the trial comes on. "Oh, but you cannot have them," says the hon. and learned Solicitor General, "because the whole object of the Commission would then prove a failure." And he went further, and said if the inspection took place that inspection will involve danger to certain people. That is my recollection of what the hon. and learned Solicitor General said; and what does it mean? By whose inspection of the documents does he mean the lives of others would be in danger—who that would be allowed to inspect the documents would interfere with the comfort or the lives of any persons, or could be in danger through the inspection of the documents? Are these letters not only forgeries, but such palpable forgeries that those who inspect them will be able to see at once in whose handwriting they are, and that they will be able to detect the fraudulent hand that has written them? Was this the object which the hon. and learned Solicitor General had in refusing the inspection of the documents? I am not now going over all the facts advanced in the course of this discussion, but the main fact made out last night by the Member for Cork in his able speech was this, that the charges brought against him are general and vague. He fairly asked—

"Am I to be held accountable for the impression of any person who heard any speech of mine on a given occasion?"

Let us take an illustration of what that means. Suppose it is an impression caused by a speech delivered by the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour)—say a speech delivered at Stalybridge, and the first person that one might ask about that speech might say, "Oh, it created no impression at all on my mind." But when another person was appealed to as to what his impression was in reference to the right hon. Gentleman the Chief Secretary's allusion to the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), he might say, "Oh, I cried out, 'Shoot him.'" Well, I believe this actually happened at Stalybridge, and the right hon. Gentleman the Chief Secretary allowed this language of menace to go unrebuked. An illustration of this kind amply justifies the hon. Member in the attitude he has taken up in regard to any supposed impressions caused by his speeches, and which would be made the subject of investigation as charges against him. It was, I regret to say, the speech of the right hon. Gentleman the Member for West Birmingham that altered the whole tone of the debate, but, nevertheless, whether this Bill now goes to a second reading or not, I appeal to them to alter the Bill in the manner which is desired by the men who have so deep an interest in the matter.

MR. DARLING (Deptford) said, that reference had been made to the changed tone of this debate since the right hon. Member for West Birmingham (Mr. J. Chamberlain) had spoken. How were the suggestions put forward by the right hon. Gentleman the Member for West Birmingham received? How was the tone of the debate changed? It was changed by the right hon. Gentleman the Member for Derby (Sir William Harcourt), who instantly accused one-half of the House as "people racing for blood." The blame, therefore, for the altered tone of the discussion should be placed on the right shoulders. The Bill had been threatened with opposition from several quarters of the House; but the speeches which had been made by hon. Members dealt with one little point here and there, or discussed the suggestions which had been proposed. There had been no speech, however, frankly accepting or refusing the tribunal which was offered for the decision of so momentous a question. It was an intelligible line to pursue to say that the Bill should be read a second time six months hence, or that it should be at once accepted and the inquiry entered upon, but, instead of that line being followed, the Bill had been met on the other side of the House with cavilling objections which had culminated in the speech just delivered. The hon. Member for Cork (Mr. Parnell) claimed to be the

plaintiff in the action, and to be allowed to open the case, while the Friends of the hon. Member claimed that he was the defendant, and had a right to have the charges specified. They took up from time to time absolutely opposite positions; but why did not those hon. Gentlemen find out whether they were plaintiffs or defendants, and whether they desired the inquiry or not? Even on the question of the constitution of the Court they were not agreed. What did the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone)—who knew nothing against the Judges—do? The Judges of the land had held their position for centuries unattacked; they held that position free from the favour of the Crown or the people, and were irremovable except by Petition of both Houses of Parliament. For 200 years there was no instance of the Houses of Parliament attacking the judicial office. This fact surely merited something more from the right hon. Gentleman than that he should say of the Judges that he knew nothing of them, and therefore reserved his judgment. They, on the other hand, did know something of the Judges of England. It had been said against Mr. Justice Day that he had actually been found fault with by a correspondent of *The Times*. That was an odd reason for hon. Gentlemen opposite—the opponents of *The Times*—to urge against this Judge. He should have thought that the one man who would have commended himself to hon. Gentlemen would have been the man of whom a correspondent of *The Times* had not something complimentary to say. But they had persons to appeal to other than a correspondent of *The Times*. The House of Commons was full enough of barristers of the English Bar; and where was the barrister who would dare to get up and say a single word in derogation of the character and fairness of the Judges? There should be no kind of covert attack by gentlemen who did not know the Judges. If the attack was to be made at all, it should come from counsel practising before the Judges. With all their suggestions and innuendoes hon. Members opposite did not dare to refuse the offer made to them in plain terms, though they hoped to whittle it away. Therefore this inquiry must go on, and he could not refrain from pointing out how much better tactics it would have been if they had in the first instance welcomed the Bill in any shape. But there was no kind of tribunal which hon. Gentlemen were willing to accept. They disliked what they called a "jury of cockneys," although a jury of cockneys gave Mr. Brennan a verdict of £500. They complained of one particular letter; but nothing could be easier than to sue *The Times* for publishing that one particular letter. Half-a-day would have been sufficient to decide the question whether the hon. Member for Cork did or did not write that letter. Even a jury of cockneys would find a verdict for the hon. Member if that letter was not proved to be genuine. The fact was, however, that this inquiry was forced upon hon. Members opposite and not by them, and must be held in spite of all the trivial objections which were made against it. There would be no disinclination to consider any fair proposal for making plainer what was to be inquired into, if necessary. The Government was instituting this inquiry in order that the whole truth might be got at and the ghost of these charges laid for ever. Until hon. Members got up and accepted the proposition they were open to the criticism—

> "He either fears his fate too much,
> Or his desert is small,
> Who dares not put it to the touch,
> To win or lose it all."

Nothing could be more unjust than the abuse of the hon. and learned Attorney General for simply doing what no one on the opposite Benches would have scrupled to do for one moment. The hon. and learned Member for North Longford (Mr. T. M. Healy) said he would strip his stuff gown off his back rather than do what the hon. and learned Attorney General had done. He (Mr. Darling) could only suggest that the hon. and learned Gentleman would do well to divest his speeches of similar material, of which they were largely composed. The hon. and learned Member for North Longford has accused the hon. and learned Attorney General of using strong language, for which he was paid £1,000. Why, he had heard the hon. and learned Gentleman the Member for North Longford use language 10 times as strong as that of the hon. and learned Attorney General in the recent trial, for which he got nothing at

all. No one stood higher in the opinion of his profession than his hon. and learned Friend the Attorney General, and if anything could raise the estimation in which he was held it was the most unworthy and undeserved attack of which he had been made the object.

SIR JOHN SIMON (Dewsbury) said, that the hon. and learned Member for Deptford's (Mr. Darling's) speech had recalled to his mind the impression made on him when some 20 years ago he first entered that House. After having been accustomed to the close reasoning of the Courts, he was struck by the irrelevancy of most of the speeches which he heard. The hon. and learned Member (Mr. Darling) had taken under his care not only the Attorney General, but the whole Bar of England, and even the Judges themselves. No doubt their Lordships, when they read the hon. Member's speech to-morrow, if it were reported, would be grateful to him for his condescending care of them. He was an older Member of the Bar, perhaps, than any other Member of the Profession in that House, and though it was many years since he practised, he had lost none of that love of the Profession which was felt by all those who followed it. He did not know of any instance in which the rule laid down by Lord Chief Justice Cockburn had ever been departed from — namely, that "the advocate should fight with the sword of the warrior, not with the dagger of the assassin." The hon. and learned Gentleman had referred to attacks which he said had been made upon the Attorney General. He did not remember a single attack upon the hon. and learned Gentleman. The Government had been blamed, but not the hon. and learned Attorney General. The hon. and learned Gentleman exercised his right as a member of the Bar to take private practice, and the Government were responsible if he committed any error in taking a brief for *The Times*. He would go further, and say that the Government, having adopted the charges made at the trial, ought to have prevented him from appearing as counsel in that case. The hon. and learned Solicitor General for Scotland stated that the Government were not the accusers in the matter before them. He would like to know in what other position the Government stood. Even the hon. and learned Gentleman opposite (Mr. Darling), who got up to defend the Government, spoke of "the other side." He evidently had in his mind the idea of plaintiff and defendant, or prosecutor and prisoner. The Government stood in no other position than that of public prosecutors, and the only idea which any impartial person could have with regard to their action was that they wished to spread a wide net to catch all sorts of fish, and that they desired to bespatter the hon. Member for Cork with dirt in the hope that some of it would stick. He ventured to hope that the Government would, even at the eleventh hour, indicate in some unmistakable form what the charges were that the hon. Member for Cork and his Colleagues had to meet. It was absurd to say that a man should be called upon to answer language which said that he had "lent himself to a system which must necessarily be accompanied by crime." He did not know of any public movement in this country in the course of his recollection which had not been more or less accompanied by crime or breaches of the law; and was it to be said that everybody engaged in those movements ought to have been called upon to answer for those breaches? He submitted that the House and the country already had all the information that a Commission could obtain with regard to the action of the Land League and the outrages which had taken place, and which no one deplored and denounced more than the hon. Member for Cork. An unconstitutional course had been adopted—a course unprecedented and utterly unknown. What was this Commission to do? To try the hon. Member for Cork and other persons—to place them on their trial at a disadvantage, without knowing the specific charges which they would have to answer. When they had disproved one charge, another would spring up. Some rascal would be brought forward, well bribed and well paid, to say—"I knew the hon. Member for Cork and some of his friends, and they were concerned in a certain murder," and then he would tell all about it. This would start a fresh inquiry, and so on. He could not help noticing the altered tone of *The Times* when the challenge as to the letters was taken up. The letters were then put into the background. He held that if this Bill passed, it would be a scandal to the

House of Commons. It would inflict a gross injustice, and when Party feeling cooled down that would be recognized, and hon. Members opposite would be ashamed of the part they had taken in this disgraceful business. To his mind, it was a mere Party move. Something had to be done to keep the Government going a little longer. They occupied now a most undignified position in the country, and the Bill was to give them a relief. When the Bill got into Committee, it was his intention to move to omit—"and other persons," and he should also move other Amendments. If *The Times* proved its case, it would have rendered a great service, but if it failed, if it made those abominable charges without foundation, he thought it ought not to be exempt from the consequences. He thought that *The Times* ought to be made answerable for the injury they will have done to the hon. Member for Cork and his Colleagues. But his belief was the charges were made in order to crush political opponents and to damage their cause.

MR. HUNTER (Aberdeen, N.) said, he regretted that the hon. Member for Northampton, in deference to the wish of the hon. Member for Cork, had decided not to press his Motion to a Division, as he should have liked to record his protest against what he considered to be a most unconstitutional proceeding. As to the argument of the right hon. Gentleman the Member for West Birmingham, he considered it unsound. A remark of a strange character fell from the right hon. Gentleman. The right hon. Gentleman, giving a reason why the Royal Commission should be preferred to a Committee of this House, protested against fettering and hampering the Judges by Rules of Procedure in evidence. But the right hon. Gentleman also said that the proper tribunal for trying this case was a jury. So that, according to the right hon. Gentleman himself, the best mode of trying the case would be one in which the Court would be hampered by the Rules of Procedure. The right hon. Gentleman must have been under some hallucination as to Rules of Procedure, for those Rules were not intended to prevent, but to assist, the discovery of truth. Again, the right hon. Gentleman drew a distinction between moral and legal complicity in crime. Now, if there was any complicity in crime, it was legal complicity. Moral complicity was a thing he (Mr. Hunter) did not understand. Either there was complicity or there was not. If there was complicity, there was legal responsibility; and, therefore, the distinction was entirely erroneous. The right hon. Gentleman also justified the insertion of the words "and other persons" by a remarkable argument. He told them that they could not examine the conduct of hon. Members without dealing with the conduct of those with whom they were said to be in connection. But the Bill said that these were charges against Members of Parliament, and the effect of the words was to lay before the Judges two subjects of inquiry—first, the conduct of Members of this House; and, secondly, the conduct of other persons, who had no relation or reference to this inquiry. He had the other day asked the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) whether, before they discussed this Bill, he would put before the House some information with regard to the nature of the charges and allegations. What did he know about the charges and allegations? The right hon. Gentleman the First Lord of the Treasury had referred him to the bookstalls. He had not seen the pamphlet nor the pleadings in the trial, nor had he read the hon. and learned Attorney General's speech. He did not think a Member of Parliament was under any obligation to buy pamphlets at the bookstalls, or to spend his precious time in reading piles of newspaper reports; and he held that the right hon. Gentleman the First Lord of the Treasury was guilty of a grave dereliction of duty in refusing him the information he had asked for. He had never read *Parnellism and Crime*, because he knew a little of the inside of Printing House Square and of the gentlemen who composed the articles, and knowing also something of the character of the accused, he was not inclined to spend the smallest coin of the realm upon the pamphlet. When *The Times* came to the point with a definite statement and produced a letter purporting to be signed by the hon. Member for Cork, he procured a number of the signatures of the hon. Member and also more extensive specimens of his writing. He found in the published signature a large number of variations from the normal

signature, and the result of a mathematical calculation was that the chances against the published signature being genuine were about 300,000 to 1. Applying the motto of the Earl Marischal, the Founder of the College of Aberdeen —"They say; what say they? Let them say"—he asked in this case, Who say it? *The Times.* And what was that? The most embittered and persistent enemy of the Irish Members. And what was the motive of *The Times*? To stir up hatred between the people of this country and the people of Ireland. It was simply an illustration of the old story of the endorsement on a brief—"No case on the merits; abuse the plaintiff's attorney." The hon. Member for South Tyrone (Mr. T. W. Russell) had written that the hon. Member for Cork wanted not only to pack the jury, but also to frame the indictment. The objection to the Bill was that it contained no indictment and merely started a fishing inquiry. Nothing more unconstitutional could be done than to refer vague and undefined allegations of this kind to a tribunal outside the House, when the House possessed ample jurisdiction within itself to deal with the case of any Member.

MR. SYDNEY GEDGE rose in his place, and claimed to move, "That the Question be now put;" but Mr. SPEAKER withheld his assent, and declined then to put that Question.

Debate *resumed.*

MR. FINLAY (Inverness, &c.) said, that he had listened with some attention to the debate, and the point which had most forcibly impressed him was that it had given rise to a series of most envenomed personal attacks upon the Government and the Members of the Government. For a long time it had been said that the inquiry was anxiously desired; it had been pressed for; and now that it was offered by a tribunal to which no one had ventured to take exception, the Government were assailed in a manner even more virulent than they were when they declined to grant any inquiry at all. That was a matter which would draw the attention of the country to those who made these attacks. Prominent in attack upon the Attorney General had been the right hon. Member for Derby (Sir William Harcourt), who had himself been a member of the Bar, which he did not allow the House to forget, for he rarely spoke without expressing his anxiety, which was not always attended with success, to rise above the region of special pleading and of *Nisi Prius.* The right hon. Gentleman said that the conduct of the Attorney General in the recent case had been contrary to the traditions of the Bar. The Attorney General stood in no need of defence from the attacks of the right hon. Gentleman, which the Attorney General would estimate at their proper worth, for he knew what importance to attach to them, and the country knew it too. If anyone was in the least impressed by what the right hon. Member for Derby said, let him reflect what course would have been taken by the right hon. Member for Derby if the Attorney General had contented himself with submitting to the Lord Chief Justice that there was no case to go to the jury on behalf of the plaintiff. What a shriek of exultation would have been raised by the right hon. Gentleman and by his Friends below the Gangway! It would have been said that the Attorney General, as representing *The Times*, shrank from investigation, and that he was afraid to state his case in public. It had been said that the offer of a Royal Commission was actuated by distrust of the Constitutional mode of trial provided by Courts of Law. He did not believe that at all. It was not because Judges or the House felt that juries were not to be trusted, or that Judges sitting in Courts were not to be trusted, that this offer had been made. It had been made because hon. Members who had been attacked by *The Times*, for reasons which had never been adequately explained, had refused to bring their case to the arbitrament of a Court of Law. The reasons given would not bear examination by a sane man for a moment. The articles had been published not only in England, but also in Scotland. It was perpetually being said that the heart of the people of Scotland was with hon. Gentlemen below the Gangway. Let them bring their case before a Scotch jury. But he did not think that Scotch juries had any reason to complain, because it appeared that hon. Members from Ireland could not trust their case to a jury of their own countrymen. It was because they had declined to take action that it was necessary the matter should be in-

quired into. It was a matter of public concern; it concerned the House and the country; it was necessary in the public interests that these matters should be inquired into. The chief complaint against the inquiry proposed was that the Government desired that it should be complete, thorough, and searching. He apprehended that the opinion, not only in the House, but in the country, would be that if there was to be an inquiry into a matter of this kind it ought to be a complete and thorough inquiry. The matter ought not to be left in such a state that it would be possible afterwards for one side to repeat the charges and for the other to assert that they were false. The House had heard in this debate speeches from the hon. and learned Member for Hackney (Sir Charles Russell) and the right hon. Member for Derby (Sir William Harcourt), and those speeches had amounted to no more than a passionate appeal for technicalities in this inquiry. The key note was struck in the speech of the hon. and learned Member for Hackney when he said, speaking of those against whom these charges were made—"They are not receiving the protection to which the meanest criminal is entitled." His hon. and learned Friend passionately appealed to the House that at an inquiry of this kind all the formalities of law should be observed, all the technicalities introduced, and all the niceties of evidence observed which every day led to the acquittal of scores of accused persons whom Judges, juries, and bystanders firmly believed to be guilty. But that was not the spirit in which an inquiry of this kind ought to be conducted. The inquiry would be an inquiry into the conduct of a Party, a Party which assumed to represent the people of Ireland. [An hon. MEMBER: Who does represent them?] Then let the inquiry be one that could be pleaded at the bar of history, and which would dispose of all these grave and serious charges for ever. Neither the House nor the country would be satisfied if the proceedings fell through on some technical point, such as might be taken by the hon. and learned Member for Hackney if he were defending a person against whom grave charges had been brought on Circuit or at Quarter Sessions. He did not think that anyone who heard the speeches of his hon. and learned Friend and of the right hon. Member for Derby could help feeling that the arguments adduced by them were not the real reasons for their objection to this inquiry. His hon. and learned Friend had adduced able and forcible arguments; but those who listened to him must have felt that he was really putting forward arguments in support of a course which had been determined upon for reasons which did not appear upon the face of his speech. Another remarkable speech was that delivered by the hon. Member for Cork (Mr. Parnell). No one could have listened to that speech without admiration for the ability which it showed, particularly when one thought of the very difficult position in which the hon. Member was placed. But there was one passage in that speech which he had heard with amazement. The hon. Member said—

> "The charges and allegations of the Attorney General were made not against me and my Colleagues, but against the Land League."

But of what persons did the Land League consist? He had always understood that the Land League was founded by the hon. Member for Cork. ["No!"] At any rate, the hon. Member was president of the League, the hon. Member for Cavan (Mr. Biggar) was one of the treasurers, and the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) was closely connected with its organization. Several other hon. Members below the Gangway were also intimately connected with the organization. What, then, was an inquiry into the Land League but an inquiry into the conduct of the hon. Member and his Colleagues inside that House and out of it? The hon. Member talked of the Land League as if it could be dissociated from the individuals by whom it was worked. The charge of *The Times* was that the Land League was founded upon a system of intimidation and outrage, resulting in some cases in actual murder; and *The Times* accused those who had organized the Land League and who worked it with complicity in practices of that kind. As to the truth of those charges he said not one syllable; but he should have thought that hon. Members below the Gangway who were associated with the League would have desired above all things that there should be a complete and ex-

haustive inquiry into charges of that kind, which would, on the one hand, have cleared them of all complicity in such crimes, and if it turned out the other way would have established their truth. The Land League and the conduct of hon. Gentleman were really inseparable; for, while the Land League was in operation it was the creature of the hon. Member for Cork and his Colleagues inside and out of the House; and in the very high authority of the right hon. Member for Derby they knew that the National League was the apostolic successor of the Land League. Then the hon. Member for Cork said that the proposed inquiry would take so long that the vindication of his personal character would be postponed. That was an odd complaint to come from a man who might have brought an action to vindicate himself at any time within the last year in England, Scotland, or Ireland. But the complaint was based upon a misconception. He did not believe that the inquiry would take anything like the enormous time which some people seemed to suppose. He did not believe that it would extend over any very long time, for it would be presided over by Judges of great experience and ability, who would take care that it was kept to the point. Certain conditions had been asked for and formulated by the right hon. Member for Mid Lothian (Mr. W. E. Gladstone). His first condition was that the inquiry should be strictly limited to the conduct of Members of that House. On what ground was that demand made? It seemed to him to be the most extraordinary ground ever taken up in a country where all men were supposed to be equal before the law. The ground was that if a charge was made against a Member of that House, he was entitled to have created for his benefit a special tribunal, which would not be open to any other individual. The right hon. Member for Mid Lothian said—

"The whole ground for this proceeding rests upon the historical and Constitutional fact that this House assumes, and I think rightly assumes, a jurisdiction over the conduct of those who are Members in matters of public duty vitally affecting their capacity to serve the Empire."

He apprehended that there was no precedent for appointing a Royal Commission to inquire into the conduct of an hon. Member merely because he was a Member. If there were any force in the principle laid down by the right hon. Member for Mid Lothian, the principle could only be used in support of a demand for a Select Committee. An inquiry by Committee was an inquiry to which hon. Members below the Gangway had shown a sort of platonic attachment; but it was a formal inquiry which must be ineffective and barren of any certain result. The argument of the right hon. Gentleman had no force when it was adduced in support of a demand for a Royal Commission. A tribunal of that kind was only established to inquire into matters of public interest such as this, which was a charge against a Party with Members in that House, in Ireland, and even in this country. Of what avail would it be to inquire only into the conduct of hon. Members of that House, for other members of the Party who were not in the House were also accused. Was it not right that their conduct should also be investigated, and would any inquiry be satisfactory which drew the line at those who happened to be Members of the House? An inquiry so confined would be lame, imperfect, and barren. Yet another demand was put forward, and it was said that the charges ought to be specified in the Schedule to the Bill. He should have thought that demand entitled to greater consideration if he had not noticed that nearly every Member who had spoken on his side of the House had shown an admirable capacity to formulate the charges himself. In the speech of the hon. and learned Member for Hackney (Sir Charles Russell) especially, materials would be found which would satisfy any hon. Members who wanted further information about these charges that they had only to consult the hon. and learned Member to obtain the required knowledge. He would now like to refer to what was said by the right hon. Member for Newcastle (Mr. John Morley) when the House was about to proceed to a Division last year on the Motion for a Select Committee. The right hon. Gentleman said—

"My hon. Friend the Member for East Mayo (Mr. Dillon) expressed his willingness to extend the reference mentioned in the Amendment of the right hon. Member for Mid Lothian so as to include not only the charge made against the hon. Member, but also the subject of the letter imputed to the hon. Member for Cork (Mr. Parnell), and any other specified and definite charges which could be extracted from the articles called *Parnellism and Crime*. . . . .

What is submitted to the House is a proposal by which the whole body of charges made by *The Times* newspaper against the Irish Members shall be submitted to the judgment of a Committee of this House."—(3 *Hansard*, [314] 1223-4.)

Now, those words were used just before the House went to a Division, and if the Committee had been granted it was clearly intended that that Committee charged with the inquiry should pick out what were specific and definite charges. If anything else was meant, if it was meant that there should be merely a preliminary inquiry, the right hon. Gentleman failed to explain himself. If a Commission of three Judges was to be appointed, it was only right and reasonable that the whole body of the charges should go before them. What endless negotiations and ramblings would be opened up if the charges were to be settled in the way that the hon. Member for Northampton desired. He would submit to the judgment of the House that it was perfectly impossible to define all these charges, to give particulars of time, place, and circumstances. Everyone knew what the charges were; but the exact nature of the charges and the duty of keeping the evidence to the point must be left in the hands of the Commission who were to inquire into them. The The right hon. Member for Newcastle desired that only precise and definite charges should be left to the Commission; but he would ask any hon. Gentleman who might be disposed to think that any precise and definite issues could be settled whether a Commission of Judges was not far more competent to pick out those charges than any Members who might be selected in that House. Another demand was that a stipulation should be made in the Bill providing for a rigid adherence to the technical rules of procedure of the Courts of Justice. The right hon. Member for Derby (Sir William Harcourt) spoke of the rules of evidence with a glowing pride which could only be born of a prolonged practice before Committees of the House, where the Rules were administered in the greatest strictness and in their most rigid purity. But they had to deal with a tribunal which had to investigate and discover the absolute truth, and technical rules, however useful in a Court of Law, when an accused person was on his trial, were entirely unsuited for a Commission. It was never intended that a Commission to discover the truth should be bound by rules which had grown up in this country, but which were utterly unknown in other civilized countries. In ordinary life no man would attempt to govern an inquiry by the rules of evidence which had been established for the purpose of trial by jury. When a Commission of experienced Judges was established it was intended that their trained intelligence should be allowed to determine what evidence was reasonably sufficient to enable them to arrive at the result of their inquiries and report to the Crown. Another point was made upon which not much had been said, but something had been hinted—the composition of the Royal Commission. He did most earnestly and respectfully deprecate any discussion in that House as to the composition of the Commission of Judges. He hoped that neither in that debate nor in Committee would they have any discussion as to the merits of the Judges, or that suggestions would be made that others might have done better. Such discussions would be unworthy of the House and of the Judges. He would say nothing as to the intentions with which the various points to which he had alluded had been put forward. He was willing to give credit to everyone who had put forward a demand for being actuated with the utmost good faith; but he did most unhesitatingly say that the only effect of such conditions, if the Government were weak enough to accede to them, would be to render the inquiry utterly futile and abortive. He hoped that the Bill, as it had been drawn with a desire to do even justice to one side and the other, would be adhered to, and that the House would have the satisfaction of securing a thorough and effectual inquiry into matters of the greatest import which had so long disturbed the political controversies of this country, and which, at no distant date, would be happily laid to rest one way or the other.

MR. E. ROBERTSON (Dundee) said, he was sorry the hon. and learned Member for Inverness had made such a personal attack upon his right hon. Friend the Member for Derby. If references were frequently made to hon. Members in the tone of studied contempt in which the hon. and learned

Member for Inverness had spoken of the right hon. Member for Derby, they who did not regard the right hon. Gentleman in that light would have grounds to press for some reconsideration of the Rule of the House which permitted an hon. Member to abuse the right hon. Member for Derby behind his back, and from the Opposition Benches to support Her Majesty's Government. His hon. and learned Friend sarcastically said they had the people of Scotland with them on the Irish Question. He (Mr. E. Robertson) thought they had. They would look forward with the greatest possible interest to the first opportunity of testing whether they had the people of Scotland with them on this question, and there was no part of the country they would look to with so much interest, and more confidence, than to the constituency of Inverness. It appeared to him that the greater part of the debate had been more suited for the Committee stage than the second reading of the Bill. He desired to state one or two reasons why he could not accept the principle of this Bill. He was as much alive as any man to the desirability of bringing to some public test the charges and allegations which were the subject of this measure. If the hon. Member for Cork had chosen to take these charges to a jury he would have been satisfied. If the House had yielded to the request made from those Benches, and granted a Committee, he would, if possible, have been still more satisfied. No other mode of inquiry being possible, he would have been tempted to escape from a situation which had become well-nigh intolerable by accepting the course proposed; but a full consideration of the matter, apart from Party considerations, had convinced him that the Constitutional objections to the Bill far outweighed its possible advantages. The first objection was that this Bill was a mere *privilegium;* it was special legislation of a kind unknown in the history of that House, and, he believed, in the history of other Legislative Assemblies. It dealt with the conduct of a few individuals, and with the isolated facts of a series of articles in a morning newspaper. No doubt, all things were possible to the omnipotence of Parliament—and he stood by the supremacy of Parliament as a corner stone—but that omnipotence was possible only on condition that it was exercised with prudence and discretion. They ought to impose upon themselves the rule which was imposed upon other Legislatures by the Constitution. If there was one rule more formally established than another, it was that there should not be special legislation. With the exception of Irish Divorce Bills, and such like matters, no special legislation was passed. In this case a special tribunal was created for specified individuals to determine the undecided issues of an abortive trial at law. This Bill was nothing more nor less than a legislative fraud, which would cause the people of this country to come to a conclusion which he should greatly deprecate, to impose some restrictions on the practical omnipotence of that House. The other consideration which was raised was the position in which the action of the Government had allowed the great and important subject of Privileges of Parliament to fall. On the question of the Privileges of Parliament the Government had misled the House. He hoped the Attorney General would consent to modify the Bill by adding after "Members of Parliament and other persons" the words "in conjunction with such Members;" and if, as recommended by the hon. and learned Member for York (Mr. Lockwood), the Commissioners were left to define formally the charges which should form the subject-matter of investigation, and if the inquiry was limited to them, he thought a great many of the objections to the Bill would disappear. But, even if the Government met every objection raised on that side of the House, it still seemed to him that this Bill, in its inception and conception, in its whole scheme and detail, was the most unconstitutional Bill that had ever been presented to the House, and he, for one, could take no responsibility in voting for it.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): Mr. Speaker, I had no intention of intervening in this debate. The position in which I have been placed by having been the counsel for the defendants in the action of "O'Donnell *v.* Walter" makes it utterly impossible for me to take part in any discussion on the merits of this Bill, and I do not rise now in order to take any such part; nor do I

rise to answer the virulent and extraordinary charges which have been made against me by some who have called themselves my friends in their speeches, and by others who could have had no doubt in their own minds that the charges were false almost before they had uttered them. I do not rise to justify myself in any way; I am content to leave my conduct to the judgment of those who have had experience of me in my Profession, and to the judgment of those who will come after me. But I do rise out of regard for those who sit upon this side of the House, in order that they may have a simple and plain statement of the facts, without one word of passion or one word of heat, and in order that they may understand what are the real facts out of which those charges arise. Mr. Speaker, I should like to make one observation before I enter into that plain statement, and that is that in this case I had the great honour of leading and being assisted by the right hon. and learned Gentleman the Member for Bury (Sir Henry James). [*Ironical Home Rule cheers and counter cheers.*] Of course, I quite expected that the good feeling of hon. Members below the Gangway opposite would induce them at once to scorn and scoff at that name. They have no knowledge of the right hon. and learned Gentleman's professional position; but those who have known the right hon. and learned Member, as we have known him, for many years as the Leader of the Bar, have known, at any rate, that his conduct in such matters is above all suspicion; and it is a great satisfaction to me to be able to state, with reference to the simple narration I am about to make, that every step was taken after consultation with, with the entire concurrence of, and, I may say, under the advice of, my right hon. and learned Friend. I am not ashamed to own that advice; for though I had the responsibility he had the experience. Mr. Speaker, the possibility of making the attacks which have been made upon me—less violent by my hon. and learned Friend the Member for Hackney (Sir Charles Russell), more violent by the right hon. Gentleman the Member for Derby (Sir William Harcourt), most violent by the hon. and learned Member for York (Mr. Lockwood)—the possibility of those attacks exists simply by the speakers shutting their eyes to what was the conduct of the plaintiff in this case, to what was the way in which the case was conducted on behalf of the plaintiff. The plaintiff, Mr. O'Donnell, was represented by a young barrister — a gentleman, I believe, of great ability, who, in a most trying and difficult position, conducted the case with sound judgment, and with every evidence that he was fully competent to conduct any case; and I think that if that learned counsel had been left to conduct the case in accordance with his own judgment, in every probability not only would there have been no charge against me, but the *fiasco*, for which the plaintiff and his advisers were solely responsible, would never have taken place. The learned counsel for the plaintiff, acting under advice to which I will refer before I sit down, elected to conduct his case, not by putting in the whole libel or reading the whole libel alleged to be an accusation on the plaintiff, but by picking out selected passages. He read them without the context, and strung together passages which had no connection, and then he said on behalf of the plaintiff—"I was libelled, libelled by these gross attacks; I was one of the persons intended to be libelled, and I claim damages at their hands because I have been so libelled." In addition, he called three witnesses of great respectability and position—two of them, at any rate, of considerable position — who stated that, in their judgment, Mr. O'Donnell was the person libelled by these accusations in *The Times;* and then, to the surprise of everybody, he closed his case. The circumstances under which he closed his case are known to hon. Members below the Gangway, who were in Court at the time, and were in constant conference with the plaintiff. [*Home Rule cries of* "No!" *and* "Name!"] I refer to no hon. Member particularly—[Mr. T. P. O'Connor: Name them!]—but to what was perfectly well known. The counsel for the plaintiff closed his case, and thereupon at that time we were in this position. He had made an undoubted *primâ facie* case. He had only read one portion of the libels; but the plaintiff had stated through his counsel that he was one of the Land League organization, and the Lord

Chief Justice held that, that being the case, he was brought within the libels complained of. Now, Sir, what was the position of counsel? I will appeal to any hon. Member of my own Profession who does not approach this question from a Party point of view, and who regards it with candid judgment, and I say that there is no counsel of five years' standing at the Bar who understands his Profession the least in the world who would not know perfectly well that unless he was in a position then and there to ask for a nonsuit and stop the case he must open the whole case then and there. ["No!"] There is no counsel of position who, when there is a *primâ facie* case made against his client, and he is called upon to open the case, can do anything but open the whole of his case, if he is going to call any evidence at all; and I repeat that, whatever may be the denials of any irresponsible Member on the matter. But, so far from there being no case, the learned Judge had plainly shown that he thought that at that time there was a case, and had, with perfect fairness, called the attention of the jury to passages which, in his judgment, had referred to the Parliamentary Party as distinguished from the Land League. Here I may be allowed to quote the judgment of the plaintiff in this matter after the trial, which he stated, in language which I am sure nobody will think exaggerated. He writes—

> "I acknowledge the perfect impartiality and high-minded justice of the illustrious Judge, whose remarks against me were entirely made in the ignorance of the cause of my acts and non-production of all my defence previous to *The Times* statement of charges."

I proceeded to open the case for the defendant. I care not what may be the opinion of me of hon. Members below the Gangway; but I am afraid I must say, with regard to the language which the right hon. Gentleman the Member for Derby has thought fit to use about me, that I care very little about his opinion, but that before he thought fit to make such charges against me he might have been a little more careful about his facts. I proceeded to open the case for *The Times*, with the entire concurrence of my right hon. and learned Friend the Member for Bury, and I proceeded to lay before the Court the case from my instructions—not of my own knowledge, for I had no knowledge in the matter. The right hon. Gentleman the Member for Mid Lothian said perfectly rightly last night that the Bar of England, when they make their statements, do so on instructions; I said that I was going to prove my whole case. That appears in the shorthand notes.

MR. T. P. O'CONNOR (Liverpool, Scotland): The statement does not appear in the report of *The Times*, and my reference to the omission of the promise in that report is also not included in *The Times* report of the debate in this morning's paper.

SIR RICHARD WEBSTER: I do not see the relevance of that interruption. I was about to state that in my opening statement to the learned Judge and the jury I stated that I was about to prove the case on my instructions, and that my difficulties were increased because the plaintiff had not thought fit to go into the witness-box, and therefore I had to prove in a roundabout way what I might have proved quickly if Mr. O'Donnell had submitted himself to cross-examination. Now, Sir, I went on to open my whole case. It was in my own distinct judgment necessary for me to establish two things—or rather three things. I say—and I am making no unexpected confession to the House, for any hon. Gentleman connected with my Profession will understand me—that when I commenced the address to the jury, so far from thinking that I should not have to prove my case, I state, most distinctly and emphatically that I intended to produce the whole of my evidence, and I had no expectation that the result of reading the articles would be to satisfy the jury that, grave as the charges were, they were not charges against Mr. O'Donnell. It was impossible to come to the conclusion at an earlier stage of the case, because the plaintiff had not even read the whole of the articles, but had pieced together certain paragraphs and then said—"I am the person libelled. As every counsel would have done, I started to establish three propositions; in the first place, that there was in existence a Land League, which had, directly or indirectly, according to my instructions—I did not know whether it was so or not—provoked outrage which led to crime; in the second place, that certain prominent

gentlemen named in the articles were closely connected with that League; and, thirdly, that a letter, which has been often referred to, was, in fact—according to my instructions—signed by the hon. Member for Cork. It has been suggested by the hon. and learned Member who has made the principal attack upon me that that was a wholly gratuitous and uncalled for attack on my part. I think that before he made that accusation he might have ascertained the facts. Does he remember the allegation in the letter which was signed by the hon. Member for Cork—the allegation that Lord Frederick Cavendish's death was an accident, and that that was alleged to be a libel on Mr. O'Donnell?

MR. LOCKWOOD: Such observations as I made referred not to the letter already published, but to the letter read by the hon. and learned Gentleman for the first time.

SIR RICHARD WEBSTER: Again I would submit whether there was the slightest need for an interruption. I was speaking of the letter dated the 15th of May, 1882, and the most important issue in the case was whether that letter was signed by the hon. Member for Cork. The hon. and learned Member for York says that I was opening the case, and that I ought not to have put forward the other letters which were alleged to be letters of the hon. Member for Cork. I venture to say there is not a counsel who has been two years or two months at the Bar who would keep back the other letters, which were said to be genuine letters, when he was opening his case. If they were kept back they never could be referred to afterwards. Therefore, I am not open to the charge of want of good faith which those who advised the plaintiff laid themselves open to. My speech was not, as has been said, 18 hours long; it was not 10 hours long, though I am willing to admit it was too long. On the morning of Wednesday I was simply detailing to the jury the action of the Land League, and what was the effect of that action, and the story—it may be perfectly ill-founded, I have no opinion on the matter—of what the alleged action of the hon. Member for Cork was, and then I proceeded to read and to lay before the jury the libels which, according to my instructions, I intended to justify. It was not until I was reading the articles that the jury saw through the sham; that they saw that the articles did not refer to Mr. O'Donnell; but that they did refer to a number of other gentlemen, to a class in which the plaintiff, who said that he was libelled, was not included. It is all very well for the hon. and learned Member for York to back out of the charge that he made against me. I think the House will allow me to refer to what the Lord Chief Justice said of my conduct in the matter, and I do not think the House will then be of opinion that such language as I will read will bear out the charges made against me. At the end of my case the Lord Chief Justice said—

"I had better say at once that I will not allow evidence of the truth or falsehood of the alleged libels on other people to be given in this case. It has been in my mind all through, Mr. Attorney, and you will permit me to say now, that you have stated most fairly and in a most becoming manner the extreme difficulty in which you are placed by the course taken by Mr. O'Donnell. Into the motives of Mr. O'Donnell I cannot enter. That is not for me."

On its being objected by Mr. Ruegg that there was a libel on Mr. O'Donnell, the Lord Chief Justice said—

"Under instructions you did your best, Mr. Ruegg, to make it so, and the only pretence you had for this action, the only shadow of a pretext that Mr. O'Donnell ever had for this action, was that he might drag in other people."

Then I said—

"My learned Friend must pardon me. Mr. O'Donnell is the plaintiff; it is against Mr. O'Donnell I have put my pleadings; there is not a word of justification of this libel against Mr. O'Donnell, and therefore I have withdrawn nothing."

Upon this the Lord Chief Justice said—

"Yes; the Attorney General has withdrawn nothing. You forced him to say what he did by taking the course you did, that though there was nothing said here against Mr. O'Donnell by name, that whenever somebody else was mentioned Mr. O'Donnell was meant, and that you should insist upon it. You forced the Attorney General into saying that if you would have it so, then these people had done this, that, and the other; but he said, like a gentleman, if I may say so, 'I say that with great reluctance, because it is most unfair to these men, and most unfair to us.'"

One more passage is all that I will read. The Lord Chief Justice towards the close of his summing up, said—

"The Attorney General has most honourably pointed that out to you. He has pointed out that it has placed *The Times* itself in very great difficulty, and so it has; but he has also gone

on to say what sense and honour and fairness dictated to him—that it has placed a number of other persons who, as I said before, for aught we know in this Court (whatever we may think elsewhere has nothing to do with it), may be as innocent as any man in this Court, it has exposed them to a peril and to an annoyance and an amount of vexation and trouble that hardly any words can describe."

Mr. Speaker, as I have said, I did not rise to vindicate myself, but that the House might have the facts before it, and form its own judgment upon them. I have only one or two other observations to make. I must refer to the remarks of the right hon. Member for Derby. He has been a very eminent member of the Bar. [*Ministerial laughter.*] I hope the right hon. Gentleman will give me his attention.

SIR WILLIAM HARCOURT: Yes; if you can restrain your followers.

SIR RICHARD WEBSTER: The right hon. Gentleman occupied the distinguished position of Solicitor General when the right hon. and learned Member for Bury was Attorney General. I do not know whether he will join in the remarks made by the hon. and learned Member for York, because, if so, the right hon. and learned Member for Bury is included in the disgraceful charge. The right hon. Gentleman thought fit to say that I had disgraced my Profession. [Sir WILLIAM HARCOURT dissented.] It came to that. He said I could not believe in the charges, because, if I did, it was my duty as Attorney General to order a prosecution. There is not a lawyer who has heard the right hon. Gentleman but knows that there could not be a grosser or more unjust suggestion as to the duties of our honourable Profession.

SIR WILLIAM HARCOURT rose, but——

SIR RICHARD WEBSTER said: I shall be willing to hear any explanation of the right hon. Gentleman, but I hope I shall be allowed to finish the observation I wish to make. Certain information—it may be well or ill-founded—came to my knowledge as counsel for *The Times*. If I were to use that information in my official position as Attorney General, I should be unworthy of the position I hold at the Bar. So little does the hon. and learned Member for Longford (Mr. T. M. Healy) know of the code of honour which, at any rate, we try to maintain. He does not understand that my mouth would be sealed with regard to any communications upon which a prosecution might be founded when I was counsel for *The Times*.

MR. PARNELL: Are we to understand that information was put into the hon. and learned Gentleman's hands by *The Times* which was not available for the purposes of public justice?

SIR RICHARD WEBSTER: The hon. Member's observation does not in the least bear upon my argument.

An hon. MEMBER: Answer the question.

SIR RICHARD WEBSTER: The hon. Gentleman has no right to make such an observation. He has never been treated by me with discourtesy. That whole case which I opened I was prepared to prove, and if I am counsel for *The Times* again shall be prepared to prove. The evidence available when it is wanted, but I should be unworthy of my position if I allowed myself to use it for any other purposes. [*Interruptions from the Home Rule Benches.*] Hon. Members may be unable to appreciate it. But the right hon. Member for Derby ought to have thought of this before he made that observation. He knows perfectly well that if anything came to my knowledge when I was counsel for *The Times* not only should I not have been justified in instituting a prosecution, but I should have disgraced my Profession if I had used it for such a purpose. I venture to give the most absolute contradiction of the view which he has expressed. I was there as counsel for *The Times* and as nothing else, and I have abstained from using the knowledge which came to me as counsel for *The Times*, directly or indirectly, in my official position. I have only one word to add. I must say that I cannot help having a suspicion that the attacks made upon me have been dictated and prompted to a great extent by the chagrin and annoyance of the unavowed advisers of the plaintiff. I know not—at any rate I must not say—whom I believe them to have been. But this I do know—that the plaintiff on the 6th of July said that his own counsel would have put him into the box, but that he was led to adopt this plan in spite of his own personal repugnance

by the opinions of two gentlemen of great professional eminence at the Bar, both Members of Parliament, and both trusted and distinguished Members of the Gladstonian Party. When the hon. and learned Member for Hackney was in his place last night, he did not give any strong denial to the suggestions of the Solicitor General. In fact, he sat silent when he was pointed at. Now, there are only three or four leading lawyers—they may stand up if they like. I will not venture to name them, although I could name those who are of the front rank of the Bar and "trusted and distinguished Members of the Gladstonian Party." If the truth were known, and if it becomes known, it will be found that the advisers of the plaintiff, instead of putting forward their whole case, tried to run cunning. They were told—it has never been denied or contradicted—that they would put *The Times* in a difficulty if they did not enable it to get admissions from Mr. O'Donnell. So they tried to keep back the plaintiff so that he might not be subjected to cross-examination. This plan was not a very straightforward plan. It was not a very honourable plan for a plaintiff so anxious to clear his character; and it failed—ignominiously failed—because I opened my whole case, the case I was prepared to call evidence to prove—the case the right hon. and learned Member for Bury was prepared to assist me in proving, and thus we roused in the minds of these advisers who have so carefully concealed their names the feeling of annoyance and chagrin that they had somehow failed in their scheme, and that is the reason why they have sought to make these charges against me. They are welcome to repeat these charges as often as they like. I shall never again, unless it be in answer to a question, refer to the matter. I did not rise to justify myself, because I can honestly say that no justification of my conduct was necessary; but I did rise in order that those who have to form a judgment on this matter may have a true, straightforward, and plain statement of the facts.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

Sir Richard Webster

IMPERIAL DEFENCE [EXPENSES].

COMMITTEE.

MATTER—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That, after 1894, all dividends received by the Treasury in respect of Suez Canal Shares, after deduction of the sum required for paying off the bonds issued for the purchase of such shares, be applied in paying the principal of the amount borrowed."—(*Mr. William Henry Smith.*)

MR. CHILDERS (Edinburgh, S.) said, the hour was late for proceeding with this important Resolution (20 minutes to 12), and allowed no opportunity for discussion. He should have liked to have had some explanation from the right hon. Gentleman.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he would remind his right hon. Friend that this was purely a preliminary and formal stage, and it was necessary that the Resolution should be passed in order to found a Bill upon it. He would undertake that when the Bill itself came before the House, ample opportunity should be given for the discussion of all its details.

MR. ARTHUR O'CONNOR (Donegal, E.) said, it was desirable the House should have some information as to how the matter stood. Was there any debt to the Khedive upon the shares?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, there was not.

MR. CAUSTON (Southwark, W.) said, he was surprised that the right hon. Gentleman the Member for South Edinburgh had not pressed for further information, but remained satisfied with the reply given him. He would advise his right hon. Friend, if he really wanted a discussion, to be careful as to how the arrangement was come to. It was possible that what had occurred in reference to the Van and Wheel Tax would be repeated in reference to this subject. An early discussion on the proposed Van and Wheel Tax had been promised under similar circumstances, and yet months had been allowed to elapse and no discussion had taken place.

MR. GOSCHEN said, he heard the observation of the hon. Member with

surprise. The hon. Member was, he understood, opposed to the Van and Wheel Tax, and it was somewhat remarkable that he should be anxious that the proposal should be brought forward. In reply to the hon. Member for East Donegal (Mr. Arthur O'Connor) there was no debt due to the Khedive. For a certain number of years the Suez Canal Shares were without interest, but after 1894 the interest would be accruing, and the British Exchequer would have the shares with their dividends clear of any liability whatever. The anticipated revenue from the shares was £550,000. This would go to pay the capital of the money borrowed to buy the shares, and from the surplus the interest and Sinking Fund of the new loan for the defence of the Empire would be defrayed.

MR. ARTHUR O'CONNOR asked, was not this proposal discounting the prospective income to be derived six years hence?

MR. GOSCHEN said, the proposal was in effect as the hon. Member stated. He was quite prepared to justify the policy of the proposal.

MR. CHILDERS said, as he had received a definite promise that the House should have a full opportunity of going into the whole subject on a later occasion, he agreed that it was not expedient to attempt to raise a discussion now.

Question put.

The House proceeded to a Division, and the Chairman stated that he thought the "Ayes" had it; but his decision was challenged, and it appearing to the Chairman that the Division was vexatiously claimed, he directed the "Noes" to stand up in their places, and, one Member having stood up, the Chairman declared that the "Ayes" had it.

Resolved, That, after 1894, all dividends received by the Treasury in respect of Suez Canal Shares, after deduction of the sum required for paying off the bonds issued for the purchase of such shares, be applied in paying the principal of the amount borrowed.

Motion made, and Question proposed,

"That it is expedient to authorise the Treasury to raise such sum authorised to be issued out of the Consolidated Fund by means of Treasury Bills or Exchequer Bonds, the principal and interest of which shall be chargeable on the Consolidated Fund."—(*Mr. William Henry Smith.*)

MR. ARTHUR O'CONNOR said, he wished to ask the right hon. Gentleman to state what proportion of the required amount it was proposed to raise by Treasury Bills, and what amount by Exchequer Bonds?

MR. GOSCHEN said, surely the hon. Member would admit this was a matter upon which the Treasury must be allowed discretion according to circumstances and financial expediency.

Question put, and *agreed to.*

Resolved, That it is expedient to authorise the Treasury to raise such sum authorised to be issued out of the Consolidated Fund by means of Treasury Bills or Exchequer Bonds, the principal and interest of which shall be chargeable on the Consolidated Fund.

Resolved, That it is expedient to make provisions for carrying into effect the above objects.—(*Mr. William Henry Smith.*)

Resolutions to be reported *To-morrow.*

LOCAL GOVERNMENT (ENGLAND AND WALES) [SHRIEVALTY OF MIDDLESEX].

Committee to consider of authorising the payment out of the Consolidated Fund of the sum payable by the City of London in respect of the Shrievalty of Middlesex, or of the amount which may be required for redeeming such sum, in pursuance of the provisions of any Act of the present Session relating to Local Government in England and Wales (Queen's *Recommendation* signified), *To-morrow.*

COMMITTEE OF SELECTION.

Ordered, That the Committee of Selection have leave to make a Special Report.

SIR JOHN MOWBRAY accordingly *reported* from the Committee of Selection; That they had discharged the following Members from the Standing Committee on Law, and Courts of Justice, and Legal Procedure: Mr. Burdett-Coutts and Mr. Howard Vincent; and had appointed in substitution Mr. Darling and Mr. Dugdale.

SIR JOHN MOWBRAY further *reported* from the Committee of Selection; That they had added the following Fifteen Members to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, in respect of the Liability of Trustees Bill [*Lords*]: Sir George Baden-Powell, Mr. Chance, Mr. Coghill, Mr. Cozens-Hardy, Mr. Fulton, Mr. Gully, Mr. Haldane, Mr. Hastings, Mr. W. F. Lawrence, Mr. James William Lowther (Cumberland), Mr. Milvain,

Mr. Robert Reid, Sir Albert Rollit, Mr. Bowen Rowlands, and Mr. Warmington.

SIR JOHN MOWBRAY further *reported;* That they had added the following Fifteen Members to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, in respect of the Sea Fisheries Regulation Bill: Mr. Ainslie, Commander Bethell, Mr. Burdett-Coutts, Sir Savile Crossley, Mr. Munro Ferguson, Mr. Maurice Healy, Mr. Jarvis, Mr. Johnston, Sir Wilfrid Lawson, Mr. Lewis, Mr. James Lowther (Kent), Mr. Mallock, Mr. Marjoribanks, Mr. William M'Arthur, and Mr. Rowntree.

SIR JOHN MOWBRAY further *reported;* That they had added the following Fifteen Members to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, in respect of the Merchant Shipping (Life Saving Appliances) Bill [*Lords*]: Mr. Ernest Beckett, Mr. Caine, Mr. Donkin, Mr. Duff, Mr. Evans, Mr. Gourley, Sir Edward Hamley, Admiral Mayne, Mr. Molloy, Mr. Neville, Sir Edward Reed, Sir William Tindal Robertson, Mr. Thomas Sutherland, Mr. Howard Vincent, and Mr. James Williamson.

Report to lie upon the Table.

House adjourned at a quarter after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 25th July, 1888.

MINUTES.]—*Resolutions* [24th July] *reported* —Imperial Defence [Expenses].

PUBLIC BILLS — *Ordered* — *First Reading* — Imperial Defence * [346].

First Reading—Solicitors * [347]; Patents, Designs, and Trade Marks * [348].

Committee—National Defence [235]—R.P.

Considered as amended—*Third Reading*—Railway and Canal Traffic [333], and *passed.*

Withdrawn—Accumulations [55]; Companies Acts Consolidation and Amendment [144]; Rating of Machinery [163]; Licensing Laws [22]; Ecclesiastical Assessments (Scotland) [27].

QUESTIONS.

—o—

RAILWAY AND CANAL TRAFFIC BILL —FISH AS FOREIGN MERCHANDIZE.

MR. J. C. STEVENSON (South Shields) asked the President of the Board of Trade, Whether it is his intention that fish caught at sea by foreign fishing boats shall be treated as foreign merchandize under Clause C of the Railway and Canal Traffic Bill, as amended by the Standing Committee on Trade; and, if so, whether exceptional rates of carriage which might be justified before the Railway Commission in the case of fish caught by British boats may be equally justified when the fish are caught by foreign boats?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.): Yes, Sir; it is my opinion that fish caught at sea by foreign fishing boats outside British waters would come under the definition of foreign merchandize under the Bill; and, therefore, they would be subject to the Proviso in the clause which applies to foreign merchandize.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ARREST OF A MEMBER.

SIR WILFRID LAWSON (Cumberland, Cockermouth): Before Public Business commences I wish to ask any Member of the Government whether it is true that since we broke up last night a Member of this House has been arrested?

Several hon. MEMBERS: What for?

SIR WILFRID LAWSON: I do not know under what charge. Perhaps the right hon. Gentleman the First Lord of the Treasury can answer the Question.

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I have heard of nothing of the kind. I have no information at all upon the subject.

SIR WILFRID LAWSON: Has any other Member of the Government any information on the subject which he can communicate to the House?

[No reply.]

MR. SPEAKER: The Clerk will now——

DR. TANNER (Cork Co., Mid): May I ask——

MR. SPEAKER: Order, order! The Clerk will now proceed to read the Orders of the Day.

ORDERS OF THE DAY.

—o—

LOCAL GOVERNMENT (ENGLAND AND WALES) [SHRIEVALTY OF MIDDLESEX].

COMMITTEE.

MATTER—*considered* in Committee.

(In the Committee.)

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) moved a Resolution, authorizing the payment out of the Consolidated Fund in respect of the Shrievalty of Middlesex of the sum required by the Local Government (England and Wales) Bill.

Motion made, and Question proposed,

"That it is expedient to authorise the payment, out of the Consolidated Fund, of the sum payable by the City of London in respect of the Shrievalty of Middlesex, or of the amount which may be required for redeeming such sum, in pursuance of the provisions of any Act of the present Session relating to Local Government in England and Wales."—(*Mr. Ritchie.*)

DR. TANNER (Cork Co., Mid) said, he had expected that the right hon. Gentleman would have given some explanation of the Resolution before asking the Committee to vote it. The right hon. Gentleman had moved the Resolution without a word of comment, whereas he ought to have risen voluntarily, and given his reasons for moving it. He (Dr. Tanner) strongly objected to that mode of voting away the public money without a word of explanation.

MR. RITCHIE said, he should be very glad to explain what the object of the Resolution was. It was a Resolution to authorize the payment of a certain sum of money out of the Consolidated Fund, and it would be embodied in a clause in the Local Government Bill. In the time of Henry I. the City undertook to pay a sum of £300 per annum to the Crown for the privilege of appointing the Shrievalty of Middlesex. That annuity had been sold by the Crown, and was now, he believed, in the possession of certain old ladies. By the Local Government Bill the privilege of appointing the Sheriffs of Middlesex was taken away from the City, and the annuity of £300 a-year had consequently fallen in, and the Crown had now to provide an annuity of the same amount to be paid to the old ladies.

DR. TANNER asked the right hon. Gentleman to explain how he intended to deal with these old ladies, who might be dependent for their living on this annuity? What amount was it intended to grant them, and out of what fund was it going to be granted?

MR. RITCHIE said, the amount would be paid out of the Consolidated Fund.

DR. TANNER asked how much would be paid?

MR. RITCHIE said, exactly what the old ladies were entitled to; nothing more and nothing less. It was quite clear that the alteration which was made by the Local Government Bill in regard to the Shrievalty of Middlesex rendered it necessary that some other provision should be made in place of the annuity which had hitherto been paid by the City.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, the Government appeared to be about to establish a new perpetual pension, and he very much objected to the principle.

Question put, and *agreed to.*

Resolution to be reported *To-morrow.*

RAILWAY AND CANAL TRAFFIC BILL

[*Lords*].—[BILL 333.]

(*Sir Michael Hicks-Beach.*)

CONSIDERATION.

Order for Consideration read.

Motion made, and Question proposed, "That the Bill, as amended (by the Standing Committee), be now considered."—(*Sir Michael Hicks-Beach.*)

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, he wished to complain of the suddenness with which this Bill had been presented to the House, and of the omissions in the measure, more especially the entire absence of any provisions for the protection of passengers. In the part of the country which he represented, it was the exception for a train to be up to time. In his opinion, passengers would be prejudiced by the passing of this Bill, for a great railway measure having been passed in one Session, it was unlikely that another great railway measure would be introduced next Session. Moreover, if passengers were at any future time tacked

on to this Bill, the tribunal set up by it was not the sort of tribunal which would be likely to administer summary justice as between the Railway Companies and the passengers. The process by which a remedy could be had against a Railway Company might be suitable for large traders, but was much too elaborate and expensive for people who sent small parcels only. Under that Bill there was nothing in the nature of a summary remedy for small grievances. The instances in which such a remedy was most wanted were in places where there was no competition. There was no provision, so far as he could see, in regard to the carriage of mails. Now, the right hon. Gentleman the Postmaster General (Mr. Raikes) had told them that he thought arbitration an unsatisfactory manner of settling differences between the Post Office and the Railway Companies, and that he would much prefer that such questions should be referred to the Railway Commission. It was unfortunate, if the Government held that view, that they had not pressed it upon the Committee. He hoped they would yet put down an Amendment to give effect to their opinion, so that a Railway Company might be compelled to give to the inhabitants of Fife or any other part of the country such facilities as the Railway Commissioners might decide that they ought to have.

MR. NEVILLE (Liverpool, Exchange) said, the hon. and learned Attorney General (Sir Richard Webster) had stated some time ago that there was a general opinion that the Railway Commissioners would do more than justice to the traders who applied to them.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, that what he had said was that some traders had expressed the hope that they would have a tribunal where they would get more than justice, and that he had then pointed out that that would be injustice. He had always stated that in his opinion the Railway Commissioners based their judgments upon the principles of law.

MR. NEVILLE said, he was glad to hear that explanation, which, of course, he entirely accepted. There was great confidence on the part of the House in the appointment of a Judge to work an Act of that kind; but, as a matter of fact and of history, what killed the practical operation of the Act which preceded the creation of the Railway Commission was the extreme reluctance of the Judges to undertake the duties imposed upon them and their desire to cut down the scope of the Act. He would be surprised if under that Bill traders would have the same facilities for the settlement of their disputes as they had under the Railway Commission. The Bill was a retrograde step, because the Railway Commission was appointed in consequence of the breakdown of the attempt to administer the Act by the Judicial Bench. Now they were to have Commissioners who would sit as assessors; but they would be, to a great extent, overborne by the Judge who presided at the trial. He thought there should be some intimation of who the Commissioners were to be under that Bill. When the last Commission was appointed it was demanded by the House, and conceded by the Government, that the Commissioners should be named before the third reading.

MR. HUNTER (Aberdeen, N.) said, he desired to remind the right hon. Gentleman the President of the Board of Trade (Sir Michael Hicks-Beach) that in 1873 the names of the Commissioners were announced before the Bill left the House of Commons on the morning of the day when the third reading was taken. If the same course had been followed in this case the names of the Commissioners would have been stated before the Bill left the House of Lords.

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS-BEACH) (Bristol, W.) said, he hoped the House would not think it necessary to go into any general discussion of the Bill at the present stage. He could assure both the hon. Member for Kirkcaldy (Sir George Campbell) and the hon. Member for Liverpool (Mr. Neville) that the very points which they had raised were most carefully discussed and considered by the Standing Committee, and he only wished they had had the benefit of the assistance of those hon. Members, for he thought they would have been satisfied that full and ample consideration was given to the views they had put forward. With regard to the objection of the hon. Member for Kirkcaldy that the Bill was insufficient because it did not deal with the question of passenger traffic, he

could only say that, in his humble judgment, the Bill was large enough as it stood. It contained matter of very great importance, and it had been strengthened and increased, not merely in bulk, but in application, by the Standing Committee, and he was quite sure that if there had been any attempt to deal with the question of passenger traffic it would have overloaded the Bill. So far as the question of public safety was concerned, he was already under a pledge to consider that subject with a view to legislation at the earliest possible moment. It would not be lost sight of so long as he occupied his present position. He could not accept the opinion of the hon. Member for the Exchange Division of Liverpool (Mr. Neville) as to the failure of the jurisdiction of the Court of Common Pleas. There were other reasons for that failure and the necessity for the transfer to the Railway Commission. Among them was the fact that the proceedings before the Court of Common Pleas were on affidavit. As to the names of the Commissioners, they were not in the same position now as the House and the Government were when the Railway Commission was first constituted. They had at present Railway Commissioners who had done their work with a very general amount of public confidence. Of course, it was obvious that one of these Commissioners—the Legal Commissioner—would not retain his office after the passing of this Act; but with regard to the other two Commissioners, he could assure the House that the Government, in considering the very important question of who should be permanently appointed, would very carefully consider the good work done by those Commissioners, and the confidence which had been reposed in them; and, certainly, if it should be found impossible, or any way inadvisable, to retain the services of the lay Commissioners in the future, the very greatest care would be taken that any appointment that might be made would in no way derogate from the status of the Railway Commissioners, which was not lowered, but rather heightened, by the provisions of the present Bill.

MR. H. T. DAVENPORT (Staffordshire, Leek) said, he wished to call attention to the injustice under which the silk trade now suffered. A package of silk was very valuable, and the bobbins in which it was packed were heavy. The value brought the package into a class highly rated; while the weight raised the charge under this rate. It was an insurance rate, but excessive, being paid on the dead weight of the package, as well as on the value. He hoped power was given by the Bill to re-classify goods and re-adjust charges, so as to meet that case.

MR. HANDEL COSSHAM (Bristol, E.) said, as representing a trading constituency, he took occasion to point out the injury that was inflicted on the public by the rates on short distances being immensely out of proportion to those charged for long distances. Of course, he was quite aware that Railway Companies could not carry at the same rate for long and short distances; but the difference against the latter was so excessive that it could scarcely be justified. Then the public suffered from terminal charges, which were comparatively a new impost. In connection with this Bill that subject deserved the consideration of the House. There could be no doubt that the country suffered from the fact that in the construction of our railways a great deal too much expense was incurred. Legal charges and land charges created a great burden, to the extent, perhaps, of £150,000,000 in the first instance more than ought to have been incurred, and from which trade and railways had continued to suffer.

MR. MUNDELLA (Sheffield, Brightside) said, he believed the Bill had received an amount of consideration in the Grand Committee which had never been surpassed in the case of any Bill before the House of Commons. The fitness of these Grand Committees to do good work had never been more convincingly proved to the minds of hon. Members than in this instance. The work of the Grand Committee on Trade might be an example to all future Grand Committees. No Party politics had been introduced, and the only consideration that had weighed with them was that of what was best for the interests of the country. If the business of the Grand Committees was conducted as it had been in this case, the principle of delegation would work most satisfactorily. He hoped the House would pass the Bill very much as they now found it. They had succeeded, by the principle of

give and take, in making it a really good and workable measure. He ventured to say, having had the honour to introduce the Bill of 1886, that the present Bill contained all that the former Bill did, and many other desirable provisions besides. It was a first step in the direction of the State control of railways, and a very important step, showing how far they might be able to go in future.

SIR ROPER LETHBRIDGE (Kensington, N.) said, he regretted that that longer Notice had not been given of the intention of the Government to proceed with the Bill that day; but he hoped all hon. Members would unite in passing the Bill through as quickly as possible.

Question put, and *agreed to.*

MR. HUNTER, in moving the following clause:—

"Every action or proceeding which might have been brought before the Railway Commissioners if this Act had been in force at the time when such action or proceeding was begun, and is at the commencement of this Act pending before any superior court, may, upon the application of either party, be transferred by any judge of such superior court to the Railway and Canal Commissioners under this Act, and may thereupon be continued and concluded in all respects as if such action or proceeding had been originally instituted before that Commission,"

said, they were by this Bill making the Railway Commission a Division of the High Court of Justice, not in name merely, but practically by appointing a Judge of the High Court. All this clause proposed to do was to enable the Court before whom an action was pending, if the Court thought fit, to transfer it from the Division of the High Court in which it was to the Railway Commission. The clause had been moved in the Grand Committee, and 17 Members had voted for it and 17 against. The hon. and learned Attorney General (Sir Richard Webster) had opposed the clause on the ground that it was too large in its scope, and to meet the objection of the hon. and learned Gentleman he (Mr. Hunter) was willing that the following Proviso should be added to it:—

"Provided that such transfer and anything herein contained shall not vary or affect the rights or liabilities of any party to such action or proceeding."

An action would thus be transferable, while the rights of the parties would remain the same as now.

Clause (Transfer of pending business from superior courts,)—(*Mr. Hunter,*)—*brought up*, and read the first and second time.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, if the Proviso had been added to the clause when it was originally proposed by the hon. Member in the Grand Committee, it would have removed a great many of the objections he had made to it. If it was merely a question of trial, he did not object to the transfer; but, as originally framed, the clause did alter the rights of parties. If the hon. Member would agree to the insertion of the words "that such transfer" after "provided" he would have no objection to accept the clause.

Clause amended, and *added.*

Amendments made.

New Clause C.

MR. J. C. STEVENSON (South Shields), in moving the omission of the following Proviso from New Clause C:—

"Provided that no railway company shall make, nor shall the Court or the Commissioners sanction, any difference in the tolls, rates, and charges made for, or any difference in the treatment of, Home and Foreign merchandise in respect of the same or similar services,"

said, he spoke in this matter purely as a trader, and especially in the interests of facilities of trade between the interior of the country and foreign markets, by giving inland towns a choice of seaports for both imported and exported merchandize, for food supplies and raw materials inwards, and manufactured goods outwards. He approved of this Bill, as liberating trade from the arbitrary dealing of railways, by giving traders a stronger and more accessible tribunal; but this Proviso would fetter and impede existing trade, for it directly forbade the Commissioners continuing facilities for trade which, in the case of the Tyne, Hartlepool, and Sunderland, had lasted for more than 30 years, and which had been maintained by successive Parliamentary Committees when sought to be set aside by clauses in Railway Bills. He only asked that the Railway Commissioners should be free to try such cases, and to decide whether the equal rates for unequal

distances to these seaports amounted to an undue preference. The words of the Proviso would debar the Commissioners from continuing the present system, which had grown up in the interests of the public, and should not be rashly disturbed. No one could foresee the anomalies and difficulties which this change would involve. The words were not in the Bill when introduced into Parliament. Government were defeated in resisting them in the Lords, and he thought they were now yielding to the Protectionist sentiment that prevailed in many parts of the country, for it was only to imported produce that the Proviso applied. There would still remain the system of equal railway rates for seaports at unequal distances for goods exported. Why not, then, for goods imported, but because imported goods were, in the nature of the case, foreign merchandize? It was well known that imports and exports from any seaport went together. If liberty of choice of ports inwards was restricted, liberty of choice outwards was, *pro tanto*, restricted also. Cheap supplies of raw material from abroad were essential to industries which might otherwise be driven to the coast in order to save the railway rates altogether, and this Proviso meant that the nearest seaport should have a monopoly of the transit of imported goods—that was, of foreign goods. They hoped in this way to put the foreigner at a disadvantage; but it was really the home consumer that they hit. There were 18,000 tons of foreign butter a-year landed in the Tyne and sent for consumption into the interior. It was only by equal railway rates for the longer distance that this traffic could be continued to the North-Eastern ports, and a great disturbance of existing trade avoided. This prohibition of special import rates was a restriction on the tribunal as well as on the trade. These rates, like the special export rates, were adopted for the benefit of shippers and traders at the different ports, and their withdrawal must seriously affect the trade. This consideration applied also in the cases of the competition of Gloucester and Cardiff to the Midland Counties, of Liverpool and Barrow to the Lancashire towns, and of Southampton to London. It was the common interest of all classes in this Island to have the freest possible intercourse with the seaports, and he thought the Bill in this respect must be regarded as a piece of Protectionist legislation. He begged to move the omission of the Proviso.

Amendment proposed,

In page 15, line 19, to leave out the words "Provided that no railway company shall make, nor shall the Court or the Commissioners sanction, any difference in the tolls, rates, and charges made for, or any difference in the treatment of, Home and Foreign merchandise in respect of the same or similar services," in line 22, both inclusive.—(*Mr. James Stevenson.*)

Question proposed,

"That the words 'Provided that no railway company shall make, nor shall the Court or the Commissioners sanction, any difference in the tolls, rates, and charges made for, or any difference in the treatment of, Home and Foreign merchandise,' stand part of the Bill."

SIR MICHAEL HICKS-BEACH said, he thought that the Members of the Standing Committee would have in their recollection that the hon. Member for South Shields (Mr. J. C. Stevenson) brought this subject forward at considerable length before the Committee, and that the feeling of the Committee was so strongly against him that he had not attempted to carry his Amendment to a Division. He (Sir Michael Hicks-Beach) did not complain of the present action of the hon. Member, but he hoped the House would not encourage a lengthy debate on the subject, which had been exhaustively treated in the Committee. The clause, in the first place, provided that if the Railway Company made any difference of charge or treatment, the onus would be on the Railway Company of proving that such difference did not amount to an undue preference. According to the sub-section, the Commissioners were permitted in deciding such a case to consider, so far as they thought reasonable in addition to any other considerations, whether such lower charge or difference of treatment was necessary for the purpose of securing the traffic in the interests of the public, and whether the inequality could not be removed without unduly reducing the rates charged to the complainant. That was a Proviso distinctly inserted in the interests of trade, and it was completely governed by the Proviso to which the hon. Member had taken exception. He (Sir Michael Hicks-Beach) contended

that although the Government were not responsible for the original insertion of the words, the power of the Commissioners was rightly governed by that Proviso. In his opinion—and he had fortified that opinion by the highest legal authority—the Proviso, as it stood in the Bill, did no more than assert what was the existing law. The hon. Member had frankly told the House that he asked the Proviso to be struck from the Bill because he wished to maintain an existing inequality. This Proviso was not intended as a protection of any industry at all, but that home and foreign goods should have equal treatment in equal circumstances. He hoped the House would adhere to the words of the clause, which possibly might not satisfy extreme advocates on either side, but was a fair and just compromise between different views.

MR. MUNDELLA said, he should support the clause in the Bill. The clause, with the Proviso, was fair and just, and without the Proviso it would be neither fair nor just. The hon. Member (Mr. J. C. Stevenson) seemed to think it was for the advantage of the consumer that fish caught outside territorial waters should be carried cheaper than fish caught in territorial waters.

MR. J. C. STEVENSON: No.

MR. MUNDELLA said, the views of the hon. Member, at any rate, implied the giving of a bounty to foreign fishermen against home fishermen. In regard to the Danish cattle trade, there was no objection to the North-Eastern Railway carrying Danish cattle at a certain rate, if they charged home cattle the same rates for the same service. If the London and North-Western Railway would carry a van load of meat from Liverpool to London, because it was American, at 25*s.* per ton, they should be able to do the same wherever the meat came from. That was really all they were contending for in this clause; and, in his opinion, so far from injuring any one, all that would happen would be that the Railway Companies would approximate their home rates to their foreign rates. Instead of the consumer suffering, he believed there would be an increased development of home produce, and facilities would be given to the home trade. He did not see that the principle of Fair Trade was concerned; but if the Proviso was struck out they would be giving a bounty to the foreigner at the expense of the home producer.

SIR ROPER LETHBRIDGE said, when he was selected by a working-class constituency in that Metropolis, he gave a distinct pledge to oppose any legislation which tended to increase the price of the food of the people. Among the greatest interests involved in the Bill were those of the labouring poor of London and other large centres of population, and their first interest was to obtain food as cheaply as possible. Therefore, with regard to the Amendment before the House, he wished to ask the Government whether the portion of the clause proposed to be left out would have the effect of raising the price of the food of the people of London? If it did, he could not oppose the Amendment of the hon. Member for South Shields. Hitherto, the Railway Companies had had great facilities for making undue charges or giving undue preference; but he was glad to say that the passing of this Bill would make a great change in that respect, because by the reform it proposed this matter would be left absolutely to the Railway Commissioners, who were to be presided over by a Judge of the land. But as to the clause as it stood, he must point out that its operation, if not amended, would very largely interfere with the supply of early fruits and vegetables, and similar commodities; and if the trade with France in these commodities were destroyed no one would be the gainer. One result of the words now under discussion would be that perishable commodities of this kind would not be sent over at all, and they could not be produced here; whilst non-perishable commodities would come over in French ships direct to the Thames, to the great loss of all the English working men employed at the outports and on the lines of railways. He believed that there was hardly a single outport engaged in this regular traffic that would not sustain injury.

MR. J. CHAMBERLAIN (Birmingham, W.) said, he thought if the hon. Member who had just spoken had been a Member of the Committee on Trade, he would not have confused the issue as he had just done. It was not in the slightest degree a question of the cheap-

ness of food. He would undertake to say, even as a result of the clause as it stood, if the Railway Commissioners decided that there was an unjust preference given to foreign produce in the case of the North-Eastern ports, that would not in the slightest degree affect the price at which these products would be delivered and sold in London. What was really at issue was the question of preference of a double kind. In the first place, there was the question of preference as between foreign and home production to the disadvantage of the home production; and, in the second place, what was, perhaps, a still more important issue was the question of preference as between one port and another. At the present moment, under conditions enforced by the Railway Companies, a distinct preference was given to the North-Eastern ports as compared with Hull. The only effect of withdrawing that preference would be that the foreign produce would go to Hull, where it ought to go properly, according to the geographical position of the port. He protested against those great monopolists, the Railway Companies, picking out certain districts, and then giving them an advantage. The Committee, he thought, was quite right in laying down the general principle that in the case of foreign produce—where, as they knew, all considerations of fairness had been distinctly violated—that in future it should not be permissible to make additional charges for home produce as against foreign. The hon. Gentleman had forgotten that the easiest and simplest way for the Railway Companies to deal with this clause was not to increase the rates for foreign produce. *Ex hypothesi* they already got a profit out of the produce they carried, whether from Newcastle or from Hull, and what they would have to do was to put the English farmer and producer on the same footing as the foreigner; and for the life of him he could not see why they should stand in the way of that.

MR. GROTRIAN (Hull, E.) said, his contention was that, so far from the clause raising the price of commodities, it would in all probability have exactly the reverse effect. The clause would have the effect of saving the Railway Companies from themselves in regard to a great deal of their perverted action. The North-Eastern Railway Company conveyed foreign produce between Hull and Manchester, a distance of 90 miles, at substantially the same rate as between Newcastle and Manchester, a distance of 140 miles. Now, either it paid the North-Eastern to carry the traffic over this long route of 140 miles or it did not. If it did, then it followed that the rate charged for the shorter distance was excessive. If the effect of the clause was to direct the traffic over the line of least resistance, it must ultimately be to the benefit both of the railway and of the country at large.

MR. MAC INNES (Northumberland, Hexham) said, in supporting the Amendment, that reference had been made to the extensive discussions in the Grand Committee; but it must be borne in mind that the great majority of the Members of the House had no opportunity of following those discussions. No official report was furnished the House; and, from what they read in the public prints, from time to time, they could only gather a very meagre idea of the discussions which took place. He desired to say a few words with regard to the transit traffic. The House should understand what would be the result of the clause if it was carried as it now stood. The House was aware that a very large transit traffic was carried on between North Germany and the Northern ports of America. That traffic passed through the ports of Hull and Liverpool one way, and through Liverpool and Hull the other, and to meet the steamship owners engaged in the trade the Railway Companies connecting Hull and Liverpool had made special rates, and rates at a very low figure. By the clause that traffic would be absolutely killed and taken away, and the result would be that a large number of persons employed at the docks of Hull and Liverpool would be thrown out of employment. He ventured to say, with some experience of the question, that what the right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella) had said with regard to the result of the clause upon the Railway Companies and their rates was wrong. He (Mr. Mac Innes) had consulted experts upon this matter, and their distinct opinion was that the through traffic would be killed. In many instances the competition between sea traffic and land traffic was verysevere,

and in the South Wales traffic sailing ships had beaten the railways altogether. It had been said that the Railway Companies, representing £800,000,000, would approximate their home and foreign rates. He thought that would not be found to be the case. He believed that the Railway Companies were content, in the case of the transit traffic between Hull and Liverpool, with a return on their capital which averaged, say, about ½ per cent. Did the House imagine that the Railway Companies, for the sake of retaining that small profit on the trade between Hull and Liverpool, would reduce their rates throughout the country to that figure? No such result would happen. It was perfectly clear that the trade would be killed, and the country at large would suffer to the benefit of no human being, except possibly some few German shipowners. He thought that the right hon. Gentleman the Member for West Birmingham had omitted to consider how much the price of produce in Birmingham depended upon the competition of railway and sea traffic, as a large amount came by water to Gloucester. He thought also that there should be no doubt left as to the meaning of this clause. It was notorious that at present some of the ablest experts in England had considerable doubt as to the meaning of some of the clauses in the Bill, and he trusted that the right hon. Gentleman the President of the Board of Trade would make them clear. He hoped the right hon. Gentleman would acknowledge that he had given way on this point, and that he would explain why. The right hon. Gentleman had told them that some of the acutest minds in the country had been exercised on this subject, and that the House ought to accept their decision as final. Hon. Members could not forget that the matter was considered by the Cabinet, and that they came to a different conclusion. But the provision was supported in "another place" by those who were very much influenced by Protectionist opinions. No one would accuse the right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella) of any sympathy with Protection, yet it did seem to him (Mr. Mac Innes) that in some other instances, however ardent Free Traders might be on general questions, when their own industries, or ports, or constituencies were affected, there was a good deal of Protection at the bottom of their discussions.

MR. MUNDELLA said, he could assure his hon. Friend (Mr. Mac Innes) that neither Sheffield nor its industry, nor he himself (Mr. Mundella), was in the least affected by this matter.

MR. MAC INNES said, he specially exempted the right hon. Gentleman.

MR. CRAIG (Newcastle-upon-Tyne) said, that it had been pointed out more than once that the rates from Newcastle to Manchester, the greater distance, were no more than the rates from Hull to Manchester, the lesser distance; but none of the speakers had taken the trouble to explain how that arose. They spoke as if it had been done by some arbitrary *fiat*. It was said that it was brought about by the action of the Directors of the North-Eastern Railway Company. That was not so. It arose by virtue of an arrangement come to when the various systems of railway, now known as the North-Eastern system, were amalgamated and merged with the present Company. At the time the North-Eastern went to Parliament there were three separate Companies; and by virtue of the competition the rates from the interior of England to Hull, to Hartlepool, to Sunderland, and to Newcastle were identical and reciprocal. The goods coming from outside were also taken to the inland places at identically the same rates from all the North-Eastern ports. The people of the North said they would object to the amalgamation unless the system of identical rates was continued, and the Committee refused to fix mileage rates. Several attempts had since been made to upset the arrangement, but in every case unsuccessfully. It did seem an anomaly that goods should be carried a long distance at the same rate as a shorter; but it was not such an extraordinary thing when all the circumstances under which the system arose were considered. It seemed that something like a vested interest had grown up in the bargain, which the North-Eastern Company had faithfully and honestly carried out. This system of rates arose purely out of the conditions forced upon the Directors of the amalgamated railways in 1854 by the various interests concerned; and he appealed to the hon. and learned Attorney General whether, if the words of the Proviso were allowed to stand, it would be possible for any

Commissioners who might be appointed under the Bill to take such circumstances into consideration? If the hon. and learned Gentleman thought they might fairly be taken into consideration, he would ask him whether he would sanction the introduction of words that would secure that? Did the House and the Government know what were the gigantic interests that had grown up in consequence of the bargain made in 1854 with the North-Eastern Railway Company?

MR. GROTRIAN said, there was nothing in the Amalgamation Act of 1854 which gave Parliamentary sanction to any such power.

MR. CRAIG said, that it was quite true there was no clause in the Amalgamation Act of 1854 which embodied the bargain; but it was equally true that every attempt to upset the bargain, even although it was not in writing, had been unsuccessful. Would the Government or the President of the Board of Trade do nothing to preserve the interests which had grown up in virtue of that state of things? On the Tyne alone upwards of £5,000,000 had been spent in converting what was a mere dirty ditch into a gigantic estuary of the North Sea, on the banks of which they had works like Elswick, which, although belonging to a private firm, was equal to any dockyard in this country, and where they could not only build ships, but provide them with guns while they were being built. What had been done for the Tyne had been done on the security of the dues, which were now being tampered with through the clause. He was somewhat astonished at the remarks made by the right hon. Member for West Birmingham (Mr. J. Chamberlain). He (Mr. Craig) was a trader, and every trader knew what would happen. If the rate to Newcastle was 25*s.* and to Hull 15*s.*, the difference would not remain in the pockets of the Birmingham manufacturers, but would go into the pockets of the Hull shipowners, who would practically have a monopoly conferred upon them. The trade of the Tyne people would be injured. Besides that, the £5,000,000 had been borrowed in the confidence that the existing state of things would not be tampered with. Newcastle was not the only interest that might be affected. There were other large ports all round from which trade might be diverted. He denied that the consumer in the inland town would be in the least benefited. If the Shipping Companies discovered that three ports out of four were knocked out of the race, they would immediately endeavour to appropriate part of the difference in the rates thereby created, and would do it successfully. He hoped that the Amendment would be agreed to.

MAJOR RASCH (Essex, S.E.) said, he felt bound to protest, as an agriculturist, against the Amendment. Clause C and Clause 7 were the essence and backbone of the Bill. It was said that the rejection of Clause C involved the question of Protection. But the agricultural interest were not asking for a duty on foreign wheat, but objecting to a bonus being given to the foreigner.

MR. J. C. BOLTON (Stirling) said, everything proposed to be done by the clause could be done without it, and would be done even if the clause were omitted from the Bill. What was desired, he understood, was that all traders in this country and all trades should be placed upon an equality. That, undoubtedly, was the law, and, undoubtedly, should be the law. One hon. Gentleman had stated that the addition comprising what was known as Lord Jersey's Amendment did not alter the law. If so, he asked why should it be inserted? He was sorry that he could not say it was surplusage; for, although it was surplusage for the purpose for which it was professed to be required, it absolutely prohibited the consideration of any circumstances which would require carriage at low rate. [An hon. MEMBER: No, no!] Well, then, if it did not, what was the advantage of the clause? Why should it not be left out? He was afraid, however, that it was required for that particular purpose. Certainly, if the clause remained the Commissioners would be absolutely precluded from considering any other circumstances than the fact that the merchandize was of foreign origin, and that would prevent them considering the propriety of granting special rates for that particular produce. Under the Bill special export rates might be allowed; but special import rates could not, assuming, of course, that the article imported was of foreign origin. How would that affect the trade of the country? So far as the railways were concerned, he did not

think it mattered much, except in so far as they would suffer by any diminution of the trade of the country. Under the Bill he held that special export rates might be allowed, but that special import rates could not be allowed. If that were so, farmers would suffer, as they would not get their feeding-stuffs at the present low rates, while manufacturers, in the same way, would not get their raw material so cheaply. They would get a reduction in their export trade it was said, but they could not get more than at present. In fact, they were likely to get less. The reason of that was, because this clause would destroy all competition between Railway Companies. Take, for instance, the case of Hull and Newcastle. If this clause were passed, they were absolutely taking it out of the power of the Railway Companies to compete with each other between these two ports. They drew a hard and fast line below which the Companies must not go at any time, and that did away with the necessity of making the rates as low as if they had to enter into competition. Speaking from many years' experience, he knew that that must happen, if legislation was enacted which limited the power of competition between the Railway Companies, and that was what must follow from the adoption of this Bill in its present state. He hoped the House would make the Bill as good as possible, and would pass it as soon as possible, and allow it to become law.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, he hoped they might be allowed to go at once to a Division; he must decline to enter again into these contests between the various ports. Those were matters which must be dealt with by the proper tribunal upon their own merits, and ought not to affect the decision of the House as to this clause, which was intended to deal with the general law. He could assure hon. Members who supported the Amendment that, in the judgment of the Government, they thought the clause would certainly not kill transit or cross traffic. Either those rates for transit traffic were remunerative, or they were not. If they were not remunerative, the loss ought not to be paid out of the home traffic, and the position of the Government was, that if Railway Companies could afford to carry the transit traffic at such rates as the present, they had no right for similar services and under like circumstances to charge a higher rate for home traffic, simply because the goods had come out of a ship in the one case and a manufactory in the other. That was the principle which really had been recognized. It was in the matter of carriage alone that different circumstances could arise. He desired to give that distinct statement to the hon. Gentleman opposite, because the Government did not consider there was any fear at all of killing the power of competition, or the power of bringing in food cheap and taking transit goods at the present rates, if there was a distinct enunciation of the principle that Railway Companies should not be allowed to make good any loss which might arise out of such traffic by charging higher rates on the home traffic.

Question put, and *agreed to.*

COLONEL BRIDGEMAN (Bolton) moved an Amendment empowering Railway Companies to grant a lower rate to home parties than they granted to foreigners.

Amendment proposed, in page 15, line 22, after the word "merchandize," to insert the words "to the detriment of the former."—(*Colonel Bridgeman.*)

Question proposed, "That those words be there inserted."

SIR MICHAEL HICKS-BEACH said, he hoped his hon. and gallant Friend would not think it necessary to press this Amendment to a Division, as it was contrary to the intention and spirit of the clause, which was that no undue preference should be given to either side.

Amendment, by leave, *withdrawn.*

New Clause D.

MR. J. C. BOLTON moved an Amendment to insert after "railway" the words "the less being included in the greater distance." He did not think the Bill ought to leave that House without the House itself knowing what they would be doing if they refused to insert those or similar words. He had tried to get the provision inserted when the Bill was before the Grand Committee, and had failed. The section in which he proposed to make the insertion pro-

vided that there should be no higher rate charged for carrying merchandize a short than was charged for a long distance. He entirely concurred in the provision; but he thought the clause was not sufficiently distinct in providing that the comparison should be made with traffic carried over the same portion of the line. No one could be so ignorant of railway matters as to be unaware of the fact that it was made more difficult and expensive to work some portions of a line than others, and if the clause remained in its present state, it might happen that a comparison would be made with a portion of the line easy to work and another portion where the traffic was conducted at a great disadvantage. He asked in his Amendment that the comparison should only be made with the same portion of the line.

Amendment proposed, in page 15, line 28, after the word "railway," to insert the words "the less being included in the greater distance."—(*Mr. J. C. Bolton.*)

Question proposed, "That those words be there inserted."

SIR MICHAEL HICKS-BEACH said, he thought the Amendment was unnecessary, as the matter would be left to the discretion of the Court or of the Commissioners. He could not believe for a moment that the Commissioners, if it were shown to their satisfaction that the cost of conveyance for a shorter distance was greater than for a longer distance on another line, would apply the words of the clause. He believed they would treat the Railway Companies with justice, and it was impossible to lay down any qualifications in this clause which would meet all the cases that might arise.

Question put, and *negatived.*

Amendments made.

Amendment proposed,

' In page 19, line 15, to insert the following sub-section:—" (7.) Every railway company shall, on the request of any navigation commissioners or of any clerk or collector appointed by such commissioners, give to such commissioners, or clerk, or collector, a true statement certified by an officer of such railway company of the quantity and weight of all merchandise, which shall have been unloaded or delivered at any wharf or premises of such railway company and weighed for the purpose of conveyance on their railway, the same having been conveyed in any boat or lighter or gang of boats or lighters upon the navigation of such commissioners or any part thereof, upon payment by such navigation commissioners or their clerk or collector of the sum of one shilling for every such certified statement, and shall allow such commissioners or their clerk or collector to compare such statement with the entry or entries in the books of such railway company with respect to such merchandise."—(*Captain Selwyn.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Other Amendments made.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Sir Michael Hicks-Beach.*)

MR. J. W. BARCLAY (Forfarshire) said, he thought that before the Bill was read a third time, they should be told who the Commissioners were to be appointed under this Bill.

SIR MICHAEL HICKS-BEACH said, he was afraid he had nothing to add to what he had already said on the subject. He thought the hon. Member was not present when, at the beginning of the Sitting, he replied to a Question by the hon. Member for Aberdeen (Mr. Hunter). He had nothing to add to what he then said.

MR. HUNTER said, he thought that, before they consented to the third reading, the House was entitled to some more definite information upon the point, because the composition of the Commission was the most important part of the Bill. He did not see why the Government should hesitate to give them the desired information before they parted with the Bill. It was important that the continuity of the Commission should be maintained, if it was to receive the same measure of public confidence that had been reposed in it, and that if persons were appointed who were not familiar with the work, he doubted whether the Commission would be regarded with the same confidence as at present. He had, on the second reading, stated several objections to the Bill; but he was happy to say that by the labours of the Committee they had either been entirely removed, or considerably modified. Whereas when the Bill was first introduced, it would have been injurious to traders, he believed the contrary was now the truth. Several clauses had also been introduced which, while they did not

improve the Bill for the purposes of the traders, had given protection to the Railway Companies from perhaps imaginary dangers. The successful result had been very largely due to the marked fairness and courtesy with which the President of the Board of Trade had guided the Bill through the Grand Committee. In one respect the right hon. Gentleman conducted it in a manner that should be a model, because, although some clauses were proposed which were not within the scope of the Bill, and some were not acceptable to the Government, yet, throughout the whole discussion, the right hon. Gentleman left every Amendment and every clause to be dealt with by the Committee on its merits. The Members of the Standing Committee remained for a long time in a happy land, where Party distinctions were forgotten and the crack of the whip was unknown. He thought that the result had been that, after full discussion, the right hon. Gentleman had felt himself able to accept some changes which were introduced contrary to his wishes at the time. He hoped the right hon. Gentleman would be able to give them some definite assurance that, in the composition of the new Commission, care would be taken to maintain the continuity of the tribunal, in such a way that the public confidence in it would not be affected.

MR. J. C. BOLTON said, he desired to add his testimony to that of the hon. Member (Mr. Hunter) as to the great courtesy and ability shown by the right hon. Gentleman during the whole time the Bill was in Grand Committee. He did not concur, however, in his other remark, that the Bill left the House with the entire approval both of the trading community and of the Railway Companies. He would admit, however, it certainly did leave the House in a better position than was expected; but it did not leave in the best position either for the Railway Companies or the trading community. He had endeavoured to-day to point out one difficulty; but he was afraid he had failed. But the Bill was going from them, and he hoped that in "another place" some attempt would be made to correct the mistakes which had been committed in this House. He thought the new tribunal would be as satisfactory as they could possibly expect; but he did not approve of the withdrawal of the right of appeal to the House of Lords. He could not see for the life of him why, because a man happened to be a railway proprietor, he should be placed in an inferior position to any other trader in the land. He knew of no other trader other than a railway proprietor who was not allowed to appeal from one Court to another; but here, because a man happened to be a railway shareholder, he was precluded from the enjoyment of this privilege. That was not legislation in which the country, as a whole, would approve of, or, if it did approve of now, would not approve of for long.

SIR MICHAEL HICKS-BEACH said, it was very agreeable to receive from the Member for Stirlingshire, considering the opinions he was known to entertain, so strong a testimony as to the value of the House of Lords. He would not, however, discuss that matter now, nor any of the proposals in the Bill. He wished to thank the hon. Member for North Aberdeenshire (Mr. Hunter) heartily both for the observations about himself, and also for the great assistance which the hon. Gentleman rendered to him and to the Standing Committee. As the hon. Member had remarked, this Bill was considered by the Standing Committee quite irrespectively of Party divisions. The Bill was the result of fair argument and discussion in the Committee, where opinions were expressed freely and the subject was threshed out, and he believed it would be satisfactory to the great interests concerned. He wished he could add anything as to the future of the Commission; but he had not communicated with the Members of the present Commission or his Colleagues in the Government. He fully concurred in what had been said as to the advisability of securing continuity in the action of the Commission, but he could not yet say who the two Commissioners would be. The House would remember that Sir Frederick Peel's position was technically higher than that he would occupy under this Bill. But he fully appreciated the principle of continuity, and would give his best consideration to what had been urged.

Question put, and *agreed to*.

Bill read the third time, and *passed*, with Amendments.

NATIONAL DEFENCE BILL.—[BILL 235.]
(*Mr. Secretary Stanhope, Lord George Hamilton, Mr. Brodrick.*)

COMMITTEE.

Bill *considered* in Committe.

(In the Committee.)

Clause 1 (Short title) *agreed to.*

Clause 2 (Calling out for actual military service of yeomanry and volunteers).

Motion made, and Question proposed, "That the Clause stand part of the Bill."—(*Mr. Brodrick.*)

DR. TANNER (Cork Co., Mid.) said, he wished to call the attention of the Committee to the fact that there was a certain amount of tautology in the drafting of the clause, and he wished the Committee to understand that these provisions for calling out for actual military service and the disembodying when releasing from actual military service were all contained in the Militia Act of 1882. Accordingly he thought it would be a great deal better if the clause was shortened by the recision of all the words after the word "Volunteers," in line 12. If the Forces were embodied and called out in some time of national emergency —possibly on the occasion of some invasion—they would be then called out for actual military service. He, therefore, could not see the use of the last four and a-half lines of the clause. He regarded them as so much surplusage, for under the Act to which the clause referred, those lines were already retained. He would like the right hon. Gentleman who happened to be in charge of the Bill to explain the necessity for retaining those words. He, therefore, begged to move that from the word "volunteers," in line 12, to the end of the sub-section, the words should be omitted.

Amendment proposed, in page 1, line 12, "That all the words after 'Volunteers,' in Sub-section 1, be omitted."—(*Dr. Tanner.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) said, that the hon. Member who had just spoken did not appear quite to have appreciated the object of the words. The object of the words which the hon. Gentleman proposed to omit was to make it perfectly clear, not only under what circumstances Volunteers had to be called out, but under what conditions they might be embodied and disembodied. If the clause ended at the word "Volunteers," as the hon. Member proposed, the sole power given by the Bill would be that of calling them out, and as to the disembodiment of them —which the hon. Member would see was alluded to a few lines lower down— the circumstances of the embodiment and the disembodiment of the Force would not be clearly set forth.

DR. TANNER said, the hon. Gentleman had not alluded to the three first lines of the clause—

"Whenever an order for the embodiment of the Militia is in force, it shall be lawful for Her Majesty the Queen to call out for actual military service, &c.;"

and he considered it tautology for the clause to proceed—

"In like manner as if embodying were calling out for actual military service."

Are not those latter words clearly unnecessary? It was simply in the interests of common sense that he moved his Amendment, and he hoped that nothing unnecessary would be included in the Bill. There was no use in leaving the Bill, which was intended for the guidance of the Public Service, utterly absurd, as it now stood, from the way in which it was drafted.

MR. BRODRICK said, that the only reason for the retention of the words was that as far as the annual embodiment of the Militia was concerned or contemplated in times of peace, it had been different from the Volunteers, who had not been called out for military duties, and it had been anticipated that a difficulty might occur if those explanatory words were not put in. He therefore thought they were useful under the circumstances, and ought to be retained.

DR. TANNER asked, had the hon. Member read the Act of 1882? He (Dr. Tanner) had just been trying to study the case, and he could not quite understand how it was that the hon. Gentleman who was in charge of the Bill had allowed this surplus matter to be inserted and introduced into this Act—an Act permitting the Militia to be

called out in times of emergency. He did not wish to harp upon that one point, but, practically speaking, and taking into account that he understood the same thing had to be done in connection with the Yeomanry and Volunteers, and that being the case, he failed to see the use of putting this supplemental matter into that clause.

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham) said, he thought it would be rash if the Committee on the advice of the hon. Member were to strike out words that were absolutely necessary. The Bill had been most carefully drafted. Attention would however be given to the suggestion of the hon. Member, and if he allowed the Bill now to proceed, the matter would be considered on Report.

DR. TANNER asked, was he to understand that on the Report Stage, if these words were shown ultimately to be useless and worthless, they would be struck out?

SIR JOHN GORST said, that that was so.

DR. TANNER said, that under the circumstances he would be prepared to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. BROOKFIELD (Sussex, Rye), in moving the following Amendment, in Clause 2, page 1, line 19, after "Great Britain," to insert "or Ireland," said, that his Amendment was simply to insert the words "or Ireland" after "Great Britian," so that if it should be necessary to call out the Volunteers for actual military service, the Authorities should not be restricted as to the place where they might be employed. Now, it might be suggested by hon. Members that as there were no Volunteers in Ireland, therefore it was unnecessary to talk about what the Volunteers might be required to do in Ireland. But the whole drift of the Bill appeared to him to be to enable the Volunteers to usefully supplement the Militia, when the Militia supplemented the Regular Forces; and from that point of view he would remind the House that on the last occasion when the Militia was embodied, at the time of the Crimean War, it was found necessary to send a large part of that Force over to Ireland, while, no doubt for some good reason, it was found necessary to send some of the Irish Militia over to England. As the whole object of the Government must be to make entire the Forces of the Crown as available for every purpose as possible, it was extremely desirable that they should not be hampered in this particular matter, and that they should be able to use the Volunteer Forces wherever it might be most convenient to employ them.

Amendment proposed, in page 1, line 19, after the words "Great Britain," to insert the words "or Ireland."—(*Mr. Brookfield.*)

Question proposed, "That those words be there inserted."

DR. TANNER said, that, of course, any suggestion made by the hon. Member opposite would be treated with the most thorough respect. But on this occasion such an Amendment as that which he had moved, and the object of which was to include Ireland as well as Great Britain, should not be accepted. He would respectfully submit that not only the draughtsman—to whom such a tribute of respect had been paid by the right hon. Gentleman opposite—but also Her Majesty's Government, who had drawn out and formulated the Bill, were entitled to some little tribute of respect, even by hon. Members who sat on the opposite side of the House and supported them. For his own part, he should hesitate to speak too strongly against—in times of necessity, in times of invasion and when the National interests were imperilled—the Forces which were properly constituted being employed for the National Defence in every portion of the Empire. But, certainly, it struck him that bringing over the Volunteers to Ireland would in the first place be very inconvenient to the Volunteers themselves. He should imagine that their interests would be likely to suffer, and also that they might be asked before they were sent. For this reason—most of the Volunteers had entered only for a certain time and under certain stipulated conditions—which were that they would not be removed from Great Britain. He knew of no law which would permit of the Volunteers being called upon to pass beyond the sea limits—not even as far as Ireland, or as far as Guernsey, Jersey or Alderney—or, in fact, any place outside Great Britain. Accordingly, when

they had entered into a contract to defend their country under certain specific conditions, he thought that formulating such a precedent as that proposed by the Amendment might have the effect of creating objection on the part of the Volunteers, and of practically interfering with the third line of defence of the Empire. Accordingly he would certainly vote against the Amendment—although he, for his own part, did not attach very much importance to whether the Volunteers went to Ireland or not. If they did go he was certain they would be very well received, in the same way as he hoped their own Irish Volunteers—which probably at that time might be established—would be received—with a *cead mille failthe*—if they came to England. But at the present time he thought it was inadvisable, he thought it was indiscreet, and he could think of no reason why such a rule as that should be adopted as that suggested by the Amendment. It would, as he had said, interfere with the Volunteers themselves who were not provided and not organized for being transported out of the country, and if they went over to Ireland their capitation grant did not provide for their maintenance or support. Accordingly he thought that the hon. Member would himself see that the Amendment was, practically speaking, ridiculous, and he ought, therefore, to withdraw it.

MR. BRODRICK said, his hon. Friend had introduced an Amendment which would very considerably enlarge the scope of the Bill. The object of the Bill was to render the Military Forces of the Crown available, as far as possible, to resist invasion; but, at the same time, it was a very great object not to in any way increase the calls upon the present Volunteers or upon the Volunteers that might yet be raised in Great Britain, and the duty of serving in Ireland, which was not a portion of the Empire in which they had hitherto been expected to serve, and as to which, if the Amendment was adopted, very considerable inconvenience would arise. He thought the Volunteers should be aware that the object of the Government in reference to mobilization was, as far as possible, while calling out the Volunteers, to make arrangements that as few as possible would be called upon to serve for any prolonged period; and it was hoped that while the head-quarter staffs of the Volunteer regiments would be maintained very largely in a state of efficiency, after mobilization, but few of the men would have to give up their ordinary employment until at the moment when it would be necessary for them to serve in the field. As the hon. Member who had just sat down had said, it would interfere very considerably with the Volunteers themselves if the Government were to extend their service to Ireland. He feared there was some point in the apprehension that had been expressed as to the result of in any way increasing the liability of the Volunteers. Upon these grounds he hoped his hon. Friend would consent not to persevere with his Amendment, which he must repeat would very largely increase the scope of the Bill.

MR. M. J. KENNY (Tyrone, Mid) said, he hoped the hon. Member for the Rye Division of Sussex (Mr. Brookfield) would withdraw the Amendment, because the proposal he made was not supported by any plausible, or indeed by any very intelligible, argument. The hon. Member simply thought, because there was an exchange of the Militia Force between Ireland and England in 1851, power should be given to enable England to flood Ireland at any time with Yeomanry and Volunteers. Now, the Yeomanry and Volunteers were the least disciplined forces for available purposes in England, and to flood Ireland with men of that kind at any time would be a dangerous experiment—almost as dangerous as to permit the landing of a foreign foe. There could be no doubt that the Regular Military Forces already in Ireland, together with the Militia which could be called out, would be adequate for the purposes of defence in that country, and to take the power proposed by the hon. Member would be most unreasonable, seeing that Ireland was prevented from organizing a Volunteer or Yeomanry Force. The Government were not even able to ask their loyal friends in Ulster to form a Corps of Volunteers, and Ireland, therefore, would be placed at a disadvantage, as she would be totally unable to give this country any return for any valuable assistance she would be able to render Ireland by sending her Volunteers and Yeomanry over to resist an invading force. It was altogether without prece-

dent to propose to take powers for running over to Ireland a semi-organized force like the Volunteers for the defence of the country. It was not only unprecedented, but would be a violation of the present Volunteer Act to do anything of the kind. It would practically be sending the Volunteers themselves outside the Kingdom, and from the point of view of the Volunteers themselves, such a step would seriously injure their organization and cause an immense falling off in the number of men who at present formed the Volunteer Corps. When the Committee considered the disadvantages which the adoption of the proposed arrangement would entail, both to the military organization in England and to the Volunteers themselves, he trusted that the Amendment would be strenuously resisted.

MR. CHILDERS (Edinburgh, S.) said, he should gladly support any hon. Member in any proposal he might make for legitimately increasing the strength of the Empire so far as our Auxiliary Forces were concerned, and he should be glad to see an improved organization and combination between the Auxiliary and General Forces such as in time of war might be found of great importance. But his fear was that the Amendment of the hon. Member opposite, if accepted, would not bring about a simplification and a better organization of our Military Forces, but the very reverse, and on that ground he (Mr. Childers) certainly was not able to support the hon. Member. The fact was that at this moment there were no Volunteers and no Yeomanry in Ireland, and, therefore, it looked on the face of it an anomaly to say that in the event of an invasion the Government should be able to introduce forces into Ireland the presence of which would be liable to create great jealousy. But he would mention another point which he thought had not been mentioned by the hon. Gentlemen the Under Secretary, although it must be clear to everyone who for a moment considered the matter. The 3rd sub-section of Clause 2 said that nothing in the clause should apply without his consent to a man enrolled in any great Corps of Yeomanry or Volunteers on the passing of the Act; but, as regarded all men enrolled after the passing of the Act, the Acts specified in the First Schedule should be repealed to an extent named. Well, if the proposed Amendment were carried under this sub-section, great difficulty would be very likely to arise. At the present time, we had in the Volunteers and Yeomanry men who had belonged to those Forces for 10, 15, or 20 years. Experience showed that men remained in these Corps for that time, and he could not imagine a greater misfortune than if, when they came to put this clause into operation in an amended form, a large number of the men belonging to these Forces should draw attention to this clause, and claim to be excused from its application on account of a disinclination to serve in Ireland. It might be a very unpopular thing to be called upon to serve in Ireland. The effect of the Amendment would be to create great confusion in the event of the Volunteers being called upon to serve in Ireland, and, so far from assisting the Government, the adoption of the proposal before the Committee would seriously hamper them. Therefore, on these grounds, he trusted the hon. Member would not persist in the Motion, the object of which he (Mr. Childers) entirely sympathized with, but which, in his humble judgment, would defeat the object which the hon. Member had in view, and would only add to the confusion when the Volunteers had to be brought out for active service.

MR. BROOKFIELD said, he could not help regretting that on this occasion it had not been possible for the right hon. Gentleman the Secretary of State for War (Mr. E. Stanhope) to be himself present. The whole question was one of great importance, and he ventured to think that the Amendment he had moved was also a matter of importance, inasmuch as the point of view from which he (Mr. Brookfield) looked at the matter, he would repeat again, was this—that by having the Volunteers at the disposal of the Military Authorities they might, in time of emergency, be able to release the very large Regular Force at present maintained in Ireland. However, he saw that the Amendment had no prospect of being accepted by the House on the present occasion, and as the right hon. Gentleman the Secretary for War—whose views he should have liked to hear on the matter—was not present, he would reserve to himself liberty to raise the subject again on

Report, but on the present occasion would ask permission to withdraw the Amendment.

THE CHAIRMAN: Is it your pleasure that the Amendment be withdrawn? [*Cries of* "No, no!"]

Question put, and *negatived.*

Question proposed, "That Clause 2 stand part of the Bill."

SIR EDWARD HAMLEY (Birkenhead) said, he wished to observe that the clause appeared to be intended to provide that if it were necessary to use the Volunteers in case of apprehended invasion, they should be called out in sufficient time to have the necessary training. At the present moment, by the Volunteer Act, the Military Authorities were empowered to call out the Volunteers only in case of apprehended or actual invasion. It seemed to be considered by the Government that their embodiment might be facilitated by an enactment to the effect that they might be called out whenever the Militia were embodied, and by providing that those sections of the Militia Act relating to the embodiment and disembodiment of the Militia should apply also to the Volunteers. Now, that Act authorized the Government to call out the Militia on different grounds—namely, in case of imminent danger or great emergency. It would be seen, therefore, that an innovation of two kinds was proposed in the present clause—first, in the phraseology to be used in calling out the Volunteers; and, secondly, in making the Militia Act apply to the Volunteers. As to the phraseology, it had been considered by the Government a very important thing that the words used in calling out the Volunteers should not be such as to tend to the augmentation of the panic which would naturally prevail in the country at such a time. Now, it appeared to him to be pretty much the same thing, in point of tendency, to create alarm, whether that announcement was made on account of an "apprehended invasion" or on account of "imminent national danger and great emergency;" but in choosing between the two forms, they differed in value when applied to the Volunteers, because the one was applicable to that force and the other was not. They must remember that the object in creating the Volunteers was to meet an apprehended invasion, and the wording of the Volunteer Act naturally was such as to make them liable in the future to be called out only in time of that particular emergency. It appeared to him that the words of the Act were sufficient for the purpose, because if we were either at war or likely to be at war with a Power capable of invading us, that fact alone might be said to constitute the apprehension of invasion and to justify the embodiment of the Volunteers. It was in vain to say that there were other cases of national emergency besides invasion, because such did not apply to the Volunteers. Then, as to making the wording of the Militia Act apply also to the Volunteers. By the Militia Act the Militia might be called out at times when invasion was not to be apprehended. It was so called out at the time of the Crimean War, and at the time of the Indian Mutiny, on both of which occasions no invasion of this country was possible. Therefore the Government were about expressly to take powers to call out the Volunteers at a time when invasion was not to be apprehended. It might be said that although the Government took these powers, they might not exercise them, and he had no doubt whatever that if occasion arose for calling out the Volunteers, the Government would use a wise discretion, and would take care that the Force was not called out except when invasion was to be apprehended. And if this measure were certain to attain its object there would be no possible objection to it unless it entailed certain disadvantages. He feared that it would entail serious disadvantages which he would briefly touch upon. The words of the clause were such as were likely to raise a suspicion in the Volunteer Force that to call them out at the same time as the Militia was embodied would mean that they should to a certain extent take the place of the Militia, and that—as the hon. Member who moved an Amendment just now seemed to wish—if a part of our Auxiliary Forces were sent to Ireland or to garrison our Mediterranean fortresses, the Volunteers should take the place of the Militia, and that in that way the Government might make use of the Volunteers in order to avoid the necessity of resorting to the ballot for the Militia. Well, he believed this idea to be altogether groundless. He did not

think the Government had any such intention. But, nevertheless, the idea did prevail, and the result would be that many Volunteers would refuse to accept the new conditions of service. He did not say that the majority of the Volunteers would not accept the new conditions; but he maintained that many would not do so, and the consequence would necessarily be that there would be one law for one part of the Volunteers and another for another. It would, he apprehended, be found very inconvenient that one section of the Volunteers should be called out with the Militia on an emergency, and another section only in case of apprehended invasion. But there was another and a more serious objection. There was a part of the public which was especially interested in the liability of the Volunteers to be summoned to the field—namely, the employers of labour. The Volunteer Act was expressly framed to obviate an objection on their part. The employers had accepted the Act, and had, he imagined, become reconciled to it; but he understood that now a great deal of distrust had been excited amongst them, and they imagined that as this measure entailed increased liabilities on the Volunteers, it was a fresh encroachment upon their own interests, so much so that he understood there were many firms in the country by whom Volunteers were employed who had given notice to their *employés* that they must either resign their Corps or give up their employment. It would, he held, be most unfortunate if any such question as this were allowed to exist between the Government and the employers of labour in the country, and the difficulties seemed to him to be entirely due to making the Militia Act apply to the Volunteers. What he could therefore wish was, that that part of the clause which made the Militia Act apply to the Volunteers should be rescinded, and that the clause itself should be remodelled so that it might be made to express clearly its own scope and intention, and, moreover, that it should be made to provide for the calling out of the Volunteers in such time as to ensure their due preparation. If this were done, it appeared to him that no objection would be made either on the part of the Volunteers or the employers. But what was done should be made known generally throughout the country—which he was afraid had not been the case hitherto. This Bill had so far slipped through the House in such a very modest and unobtrusive manner, that he was convinced there were a great number of Volunteers, both officers and men, who were in a state of complete ignorance with regard to it. He hoped the right hon. Gentleman the Secretary of State for War would, during the remaining stages of the Bill, take measures to make the Volunteers throughout the country thoroughly acquainted with these new proposals, and that he would ascertain the feelings of Volunteers and employers before it became law, for he need not point out how unfortunate it would be if, after such a Bill became law, it should be discovered that it was regarded with distrust by the classes whom it especially concerned.

COLONEL LAURIE (Bath) said, the Volunteer Corps throughout the country would owe a deep debt of gratitude to the hon. and gallant General who had just sat down for placing so clearly before the Committee the very serious effect of the change the Government proposed to make in the constitution of the Volunteer Force. He was glad it had not devolved upon one of those who, like himself (Colonel Laurie), had for years been connected with the Volunteer Force, to speak first on the matter; but he ventured to hope that the Government would seriously consider the recommendations of the hon. and gallant Gentleman. He was quite prepared to say that the Volunteers themselves would gladly accept the conditions the Government desired to impose upon them; but the question arose to his mind whether they would be wise or unwise in accepting them. His own opinion was that they would be unwise. He was certain that, sooner or later, there would be a considerable amount of jealousy amongst the employers of the men. He had had considerable experience of the difficulties officers commanding Volunteers had, even under present conditions, to encounter in securing recruits; and he was sure that large numbers of employers of labour would, in the event of this clause passing in its present shape, place difficulties in the way of their servants becoming members of the Force.

But he wished also to say this, that he had the authority of no less a person than General McMurdo, who, with the Marquess of Ripon, was then most distinguished at the War Office—and of the highest draftsmen in the country, for saying that the Government had taken this question fully into consideration at the time the Volunteer Act was drawn and enacted, and that it was then considered that these words "apprehended invasion" covered every possible condition of the service of what he might call our "Civilian Army." He was entirely out of sympathy with his hon. Friend the Member for the Rye Division of Sussex (Mr. Brookfield), who said that the Volunteer Force might be taken out of Great Britain. He agreed with the right hon. Gentleman the Member for South Edinburgh (Mr. Childers) in the remarks he had made on the subject, and ventured to think that in this new departure there would be a danger to the Volunteer Force. He ventured to think that the good old maxim of "let well alone" was not one which had been considered by the Government. If it was remembered that the Volunteer Force had, not only in the opinion of this country, but in the opinion of all Military Authorities, thriven under the present system, he thought they ought to pause before they altered the system as the Bill proposed. But he must also draw attention to the 3rd sub-section of this clause. At the present moment he had men in his own regiment who had served 25 years, and he had recruits whom he hoped would serve for a similar period; but if the clause passed in its present shape they would impose upon the commanding officers the necessity of keeping two classes of men in the Corps for 20 or 25 years. If the Committee adopted this clause, with this new principle in it—which he hoped they would not—he trusted they would make the change compulsory at once. He had no doubt the Volunteers, as a body, would accept it. A certain number of men, however, would, he thought, hold back, and the measure would produce that inconvenient condition of things, from a military point of view, which had just been referred to—namely, that part of the Volunteers would be out with the Militia and part would not. He thought that would produce a bad state of things; and he therefore trusted that the Government would very carefully consider the representations which had been made before finally adopting this clause.

MR. HOWARD VINCENT (Sheffield, Central) said, he was sorry to be in disagreement with the hon. and gallant Gentleman the Member for Birkenhead (Sir Edward Hamley), who spoke against this clause, and to hold views in some respects antagonistic to those of his hon. and gallant Friend the Member for Bath (Colonel Laurie). He (Mr. Howard Vincent), for his own part, thought that a great debt of gratitude was due from the Volunteer Force to Her Majesty's Government for laying this proposal before Parliament. He believed he was speaking the sentiments of very many Volunteers when he said that they felt that something of this sort was required in order to put the Volunteer Force in the position to which it had long aspired. He did not think that there was any fear of there being two classes amongst the Volunteers, as the hon. and gallant Gentleman the Member for Bath supposed, because he (Mr. Howard Vincent) felt certain that the whole Force would readily accept the proposed change in the service proposed by Her Majesty's Government. The hon. and gallant Gentleman the Member for Birkenhead—if he would allow him (Mr. Howard Vincent) to say so—was in error in saying that the Volunteers had not full information as to what was passing at this moment in the House. As a matter of fact, the proposal of Her Majesty's Government had been fairly canvassed in the Volunteer papers, and had been freely discussed and commented upon. He had no hesitation in saying that, although there were some who thought that the change was not quite necessary, the great majority of the Force welcomed it most heartily. The hon. and gallant Gentleman the Member for Birkenhead thought it was converting the Volunteer Force into Militia; but he (Mr. Howard Vincent) ventured to submit to the Committee that what the Government were really proposing was to put the Volunteer Force in that condition in which it would be able to render that service to the country which it had been established for, and for which it existed. If the Volunteer Force was not to

be called out until the enemy was actually in sight of the coasts, or had effected a landing, then he thought it would not be able to render that service which every man in the country believed it capable of rendering. It was absolutely necessary that the Force should be called up in ample time before an invasion occurred, or before an enemy was in sight of the shore. In fact, the hon. and gallant Gentleman the Member for Birkenhead himself had pointed out the necessity of the Force being called out in sufficient time to receive the instruction necessary to render it efficient to resist an invasion. Well, that was all that the Bill suggested. All it said was, that when there was apprehended danger the Volunteer Force might be summoned to receive those instructions which were absolutely necessary in order that they might fulfil efficiently the functions for which they had been established. He heartily supported this section, and trusted the Government would adhere to it.

MR. J. C. STEVENSON (South Shields) said, he thought the hon. and gallant Gentleman the Member for Birkenhead (Sir Edward Hamley) had done great service to the Volunteer Force in calling attention to the effect of the proposed alterations in the conditions of their service. He (Mr. J. C. Stevenson) had himself received strong representations from a very large and influential meeting of Volunteer officers representing the Volunteers of the North of England on this subject. One of the resolutions they passed was to the effect that this attempt to put the Volunteers and the Militia on the same level ought not to be entertained. He (Mr. J. C. Stevenson) had been commanding officer of a Volunteer Corp from the beginning of the movement until a few months ago. He was acquainted with the cordial relations which had hitherto existed between employers and those of their *employés* who belonged to their Corps. Employers gave facilities to their servants for attending drills and for rendering themselves efficient in the Service, and he thought it would be a very unfortunate thing if anything were done to interfere with the wholesome sentiment at present prevailing on this matter. As had already been suggested, the wisest course would be to "let well alone," and to make no change which would tend to affect the relations of employers, upon whose goodwill towards Volunteers so much depended.

COLONEL BLUNDELL (Lancashire, S.W., Ince) said, he thought that some hon. Gentlemen who had preceded him entertained very exaggerated views as to the effect of the clause. He took it merely to be an improved machinery for the calling out of the Volunteers. In the Memorandum accompanying the Bill it was stated that by the present law the Yeomanry could only be called out "for actual military service in case of actual invasion or the appearance of an enemy in force on the Coast of Great Britain; or, in the case of rebellion or insurrection arising or existing within the same on the appearance of any enemy in force on the coast, or during any invasion;" and that the Corps of Volunteers could at present only be called out for actual service "in case of actual, or apprehended, invasion of any part of the United Kingdom." Now, to his mind, such conditions in the present day were an anachronism—they contemplated the locking of the stable door after the steed was stolen. He thought all that was wanted was for the right hon. Gentleman the Secretary of State for War to state that there was no intention on the part of the Government to call out the Volunteers in this country except in case of great emergency. Everybody knew that the men forming the Volunteer Corps were employed in trade and commerce, and that it would never do to call them out compulsorily for continuous military service unless under the most dire necessity. The very last thing that any Secretary of State for War would be likely to do, would be to interfere unnecessarily between the Volunteers and their employers; and all that was wanted was for the Secretary of State for War to make some statement of that kind.

MR. TROTTER (Colchester) said, he thought it only right that all the Members of the House connected with the Volunteer Force of the country should express their views on this subject. He admitted that this clause did change the *status* of the Volunteers, and imposed upon them a great deal of additional responsibility, and he could only

say that, for his own part, he had not heard a word which led him to suppose that the Volunteers were not ready to accept the responsibility the Government desired to put upon them. He believed the Volunteer Force was actuated by only one motive—namely, to do their best, in any capacity in which they might be called upon to act, to meet the requirements of the Government. So far as he was acquainted with the circumstances of the case, he had no reason to suppose that the Volunteers had any reason to fear the loss of their employment by the adoption of the Bill as it now stood. He hoped the Government would bear in mind the cheerful manner in which the Volunteer Force would accept the change, and that they would adopt any measures which they thought calculated to foster the Force; and he would suggest the possibility of giving commissions in the Regular Army to Volunteer officers under certain conditions.

MR. MOLLOY (King's Co., Birr) said, the officers of the Volunteers in that House who had spoken on that clause up to the present had spoken entirely from the point of view of officers. He had a large acquaintance amongst the Volunteer officers — no doubt, most people had; but he, perhaps, had an unusually large acquaintance in that direction—and he quite admitted that those officers, as a body, would be very glad to be made more military than they were. When the Volunteer Force was established its officers were not recognized as military men. For instance, when the Volunteers first came out, a Volunteer officer was never addressed in this House as "the hon. and gallant Gentleman." A step in advance, however, had been made in that respect, and now every Volunteer officer was designated "the hon. and gallant," just as in old times that courtesy was given only to naval and military men. Of course, he found no fault with that; but he would point out that the argument, for instance, of the hon. and gallant Gentleman opposite (Mr. Brookfield), who had been a Volunteer officer for a good many years, was entirely from the point of view of the Volunteer officers, and not of the men. There was a great deal more in the clause than appeared at first sight. The clause was a first step, and no doubt was so intended by its promoters, to enforced military service in this country. It behoved hon. Gentlemen who were opposed to any measure of enforced service to scan this proposal very closely. At the present time the Volunteers held an exceptional position. They were not subject to rules and requirements which applied to the Militia or the Regular Forces; but, so far as he read the clause, it was intended that in the future, whenever the Militia was embodied, the Volunteers might be put in exactly the same position—that was to say, that they should be no longer Volunteers, but should become Militia to all intents and purposes. That was clearly a step towards enforced service. We had a large body of Volunteers in the country, and everybody in the least degree acquainted with the Militia Service would admit that it was a most efficient body—certainly, as riflemen, he supposed it was the best body in the world. As rifle-shooters and marksmen there was no body in the world to equal them. But they were a Volunteer Body; and, under ordinary circumstances, they would continue a Volunteer Body. No doubt, in time of invasion, they would be called out on active service; but in time of invasion it would not be necessary to call them out by such an Act as this. They would come out of themselves, in order to protect that which was their own. No doubt, invasion was one of those scares invariably put before the House when the Military Estimates were moved. In Germany and France, just before the Military Estimates were brought on, there was always a war scare got up, and so it was in this country. But, as a matter of fact, the invasion scare in this country was about as ludricous as anything could possibly be. The only attempts at invasion which had taken place had been too ridiculous to be spoken of. Therefore, those arguments as to invasion were only used for the purpose of blinding the eyes of Members, as he took it, and to induce them, by a side wind, to take a step towards enforced military service. Now, he undertook to say that, apart from the question of the officers and those Volunteers of whom there were a certain number in some corps who had no particular occupations, and were not obliged to earn their own livelihood, the whole Body of the Volunteers of the country, if they understood the meaning of this

clause, would refuse it. Those who were anxious to obtain some kind of military rank were in favour of the clause; but amongst the men who had to earn their bread the feeling was altogether different. What would be the result? We had a large number of Volunteers employed in manufactories, and he maintained that any steps taken which would spoil the effect of the Volunteers in this country would be an injury from many points of view. From a sanitary point of view, from the point of view of the health of the men, it would be a great injury; from the point of view of discipline and self-restraint it would be a great injury. It was essentially necessary that they should consider what would be the result to the employers by this measure. Let him give the Committee an example. Mr. Siemen's was probably one of the largest manufactories in Germany. Mr. Siemen employed a large number of clerks. When he (Mr. Molloy) was over there, he visited that gentleman and said to him "What a military set of looking clerks you have got?" and the reply was—

"Yes, unfortunately it is so, it is the curse of our country. Here are men who may be called out at any moment. I have three here," pointing to three in particular. "I have had to train them during the last three or four months, and yet they will shortly be called out for a month or three months' service. It is utterly impossible to carry on our business if we are interfered with in this way."

The same thing would take place in this country if there were a number of employers employing men who were Volunteers, and if when any Government, be it the present or any other, got up a scare for purposes of their own, the Militia would be embodied, and the Volunteers would be called out, or would be in a position to be called out. How could any man in business rely upon men who might be called out, or could be called out? He considered that the clause was one which ought to be rejected by the Committee. If they meant to introduce forced service in this country, if they meant to make the Volunteers part of the Regular Army, let them do so by a distinct Bill. What would be the effect of introducing forced service by a side wind? It would be that the number of Volunteers would decrease. There was considerable difficulty even at the present time in keeping up the Volunteer Force in the country. [*Cries of* "No, no!"] Hon. gentleman cried "No, no;" but he maintained that the Volunteer Force of the country ought to be a much larger force than it was. Did hon. Members deny that? What was the reason that it was not larger than it was? Because of the difficulties which existed. In his opinion, both from a sanitary and disciplinary point of view, all persons ought to join the Volunteers. But he feared that by the Bill the number of Volunteers would be reduced, because they would make the conditions of service still more difficult. The difficulty hitherto had arisen between the Volunteers and their employers; that difficulty would by this Bill be increased probably ten-fold. They would not attain their object by the Bill; but in all probability they would injure one of the best branches of the Service, for the Volunteers were the best branch of the Service that the country had or ever had had. He entirely and absolutely objected at any attempt, by a side wind, to introduce even the first stage of forced service in this country. He was aware that on the question of forced service, there were a great number of different opinions; but as he objected altogether to the system of forced service, especially when introduced as he had said by a side wind, he should certainly vote against the clause.

MR. BRODRICK said, he did not think the Government had any reason to complain of the discussion which had been initiated by his hon. and gallant Friend the Member for Birkenhead (Sir Edward Hamley). He entirely agreed with the hon. and gallant Gentleman that it was extremely desirable that the whole purport of the clause should be thoroughly considered, and although the hon. and gallant Gentleman thought that the Government had rather slipped the Bill through so far, the hon. and gallant Gentleman would remember that the Bill had now been before the House for two or three months, and had, as the hon. Member for Central Sheffield (Mr. Howard Vincent) had observed, been very carefully considered by bodies and associations of commanding officers and Volunteer officers, representations from whom had been laid before the Secretary of State for War. He (Mr. Brodrick)

was happy to be able to inform the Committee that those representations had been, in the main, although some criticism had been offered, extremely friendly to the Bill, and the objections taken to this clause had not been from the rather extreme point of view adopted by the hon. Member who had just sat down (Mr. Molloy). The main information which had come to the War Office from the commanding officers and the officers of Volunteers generally—from those who were serving in the Force—corroborated, in a very strong sense, the observations made by the hon. Member for Central Sheffield, by the hon. Member for Colchester (Mr. Trotter) and by his hon. and gallant Friend the Member for the Ince Division of South-West Lancashire (Colonel Blundell)—namely, that it was recognized that the clause was intended to improve the machinery of mobilization, and not in any way to increase the liabilities of the Volunteer Force. The hon. and gallant Member for Birkenhead pointed out the difference in the phraseology which had hitherto been employed and which it was now proposed to employ. He (Mr. Brodrick) would like to point out that the phraseology which had been in force with regard to the Volunteers up to this time—namely, "actual or apprehended invasion," was very wide. He believed it would be competent for the Government to call out the Volunteers under the words "apprehended invasion" in any case of war with an European power, in which it was apprehended that cruisers would make descent on different parts of our coast. He was sure the Committee would bear him out in saying that under that phraseology, it would be competent for the Executive to make use of those powers almost immediately on our becoming at war with any European Power. The reason for the alteration was that it had been impressed on the right hon. Gentleman the Secretary of State for War by the military advisers of the War Office, that it was essential that the mobilization of the Forces of the Crown, including the auxiliary Forces, should be put on a definite basis; that one and the same process should be adopted in making those Forces available, although it might not be necessary to call them out immediately. It was said a few moments ago that it was most desirable to guard against confusion and panic which might occur in case of a premeditated invasion. He submitted to the Committee that the only way in which they could avoid confusion, and in which they could guard against panic, was by every man knowing what his position was going to be in case of invasion, by every commanding officer knowing what he would be called upon to perform, and by steps being taken to place each regiment and each commanding officer in a position to fulfil their duties. He submitted that that could not be done under the existing law. If they adopted the idea that the mobilization of the Militia was to be entirely apart from the mobilization of the Volunteers, it might be necessary to send regiments of Militia to garrison fortresses which, within a few days, might have to be occupied by Volunteers. On the other hand, if it was known that Volunteers were available immediately after the Militia had been mobilized, then those positions would be left to be taken up by Volunteers at the moment it was necessary they should be taken up. There was no possibility of this mobilization being lightly undertaken by any Government. No Government would lightly undertake to create a panic by demanding the embodiment of the Militia, because the actual calling out of the Volunteers would involve a very large expenditure. Under the Bill, the Government would be liable to pay each Volunteer who was called out the sum of £2 2*s*. That alone would necessitate the expenditure of £500,000 sterling the very day the Proclamation was made. Therefore, as between the Government and the convenience of the Volunteers, it was obvious that the Government would have to consider very carefully before any step was taken. His hon. and gallant Friend (Sir Edward Hamley) laid great stress on a most important point, and that was the attitude of the employers of labour to the Volunteers in their employ. He (Mr. Brodrick) quite agreed that that was a point which should be very carefully considered by those to whom representations had been made by employers of labour. But the Bill had been very amply discussed. [*Cries of* "When?"] It had been amply discussed by Volunteers themselves, and a good many

printed papers had been sent about which had penetrated almost every locality, and there really had not reached the War Office that there was any sort of feeling, general or special, on the part of the employers of labour at the change proposed. If there had been, no doubt it would be a matter for serious consideration. He believed that the employers of labour would see that the words previously employed—namely, "actual or apprehended invasion," were words which might be interpreted even more loosely than the words "embodiment of the Militia." In connection with this subject, he must point out that under the old Volunteer Act it was contemplated to call out the whole body of Volunteers, and keep them embodied in a mass until they were required. But the whole object of this scheme was to call out, first of all, the Reserve—such as the Militia—and, at the same time, to make available a portion of the Volunteers, a large number being left on leave, until the emergency reached a pitch at which it was necessary that every man should be at his post. The number provided for would be such that it might be possible for the great majority of those who lived by daily labour to continue to earn their living, and with that object instructions had already been given to the Brigadiers who had been recently appointed to ascertain how many of their men, without inconvenience, without undue cost, could at a moment's notice be brought to a given spot. In the mobilization tables regarding the Volunteers, a large deduction had been made for those who would not be present except at the last moment. On the other hand, he did, in the interests of the country, ask the Committee to consider very carefully a remark which fell from his hon. and gallant Friend the Member for Birkenhead. The hon. and gallant Gentleman, with his great experience, told the Committee that he thought it absolutely necessary that the Volunteers should be called out in time for due instruction. He (Mr. Brodrick) had no wish to interpret that remark; but, at the same time, it must be obvious that if the Volunteers were to be of any service in the defence of the country they must be called out so that they might be properly instructed, and not have to be hustled here and there, at the last moment, in the great confusion of railways which would ensue if they were not called upon to act until the enemy was at our doors. He would not detain the Committee any longer. All he had to say, in conclusion, was that it was the desire of the Government to carry out the view of the hon. Member for Colchester, and to develope the utility of the Volunteer Force in every way possible. It was for that reason that a large number of guns of position and also 16-pounder guns, had recently been distributed, and that a considerable increase had been made in the capitation grant. He hoped the Committee would support the Government in carrying the clause, and would thereby set their seal of approval upon the evident willingness of the Volunteers to take their place in the common defence of the country.

Sir GEORGE TREVELYAN (Glasgow, Bridgton) said, that he awaited, with very great interest, the speech of the hon. Gentleman the Member for the Guildford Division of Surrey, and certainly that interest was not disappointed. The hon. Gentleman gave them an extremely valuable description in principle of the use to which Volunteers ought to be put in time of great national emergency, and the observations of detail which came into his speech showed his thorough mastery of the whole question of national defence. But he did not find in the hon. Gentleman's speech reasons for the passing of the clause, and he would state very shortly what his objections to the clause were which had not been removed by the hon. Gentleman's speech. The clause would have a practical effect in one respect. On that, they were all agreed. That practical effect would be to divide the Volunteers, and divide them, as the hon. and gallant Member for Bath (Colonel Laurie) had said, for a great many years to come, into two portions. [Mr. Brodrick dissented.] The hon. Member for the Guildford Division of Surrey shook his head. By that shake of his head, he had no doubt the hon. Gentleman intended that the Volunteers would one and all accept the new conditions. He (Sir George Trevelyan) thought that that was very much more than doubtful. In his opinion, the practical effect of the clause would be to divide the Volunteers into two categories, the

Volunteers who must come under the conditions of the Bill, and the Volunteers who might not come under those conditions. He now passed to the question of the wording of the clause, because it appeared to him that the words either meant a very great deal, or they meant very little. If the clause meant much, it meant that the Volunteers might be embodied for active service under conditions in which they were not liable or likely to be embodied now. The present position of the Volunteers was everything one could wish. There were two sorts of Governments. There was the Government that was vigilant and bold in the case of a great national emergency, a Government which was not rash, and which did not seek military glory and *prestige* at the cost of national security and national interest. Such a Government he believed to be the Government that ordinarily held power in this country. Such a Government had, at that moment, the means of utilizing the Volunteers for all the purposes that were required. What were those purposes? Those hon. Members who were old enough to remember, it might be as boys, the years 1848 and 1852, might recollect clearly the distress into which the country was thrown at the least threat of war. The country felt itself weak, and it was, consequently, anxious and timid. But ever since 1861 the men of this country had felt that they had their fate in their own hands; and, whatever form talk had taken since, it had not taken the form of uneasiness and timidity. The reason why the country had that sense of self-reliance was that it had an enormous force—a force, as he believed, of soldiers equal to any soldiers there ever were in the world—who were under conditions in which they might be relied upon in the last resort, and in the last resort alone. As was seen in the American War of 1861, the Anglo-Saxon Volunteers were the finest soldiers in the world, if only they were given time to be embodied, to know their officers, and to come under full military discipline. That time was given at present by the conditions under which Volunteers might be called out in the case of apprehended invasion. He supposed that no Government which was engaged in war, or which saw the prospect of war, in which the safety of our shores was threatened, would hesitate to call out the Volunteers for the purpose of giving them that last touch of concentration and organization which was required. But though under the present state of things everything, in his opinion, which was required for the full efficiency of the defence of the country, as far as the Volunteers were concerned, existed, he agreed that the other changes of the Bill—the changes respecting re-organization—were of value. He was bound to say, however, that Parliament, by sanctioning the clause under discussion, would, if another sort of Government was in Office—he did not mean such a Government as was in Office then, but such a Government as had been in Office in the past, in the far past—he believed that Parliament would place in the hands of that Government the means of taking steps which would be greatly contrary to the highest national interests. He was bound to say he was one of those who thought that of late years the tendency of military re-organization in this country had not been altogether in the right direction. He deeply regretted that that military re-organization had not been concentrated more upon the defence of our shores—that we were not content with having an Indian and Colonial Army and an exceedingly powerful Army at home. He believed that the time might come when we might regret having concentrated our efforts upon providing two Army Corps for the purpose of standing in line, in case of an European war, amongst the gigantic Armies of the Continent. That he believed to be about as fatal a mistake as the organizers of the military resources of the country ever committed. He believed it to be exactly the mistake which, to compare great things like ours with small things, was committed by the statesmen of Athens when they endeavoured to stand opposed to Sparta on the land, and were not content with their magnificent Fleet and their powerful Expeditionary Army; and that being the case, see the temptation which would be placed in the hands of an ambitious and reckless Government. They would think they could with those two Army Corps renew the glories of Talavera and Blenheim—glories which were won in days when an army of 60,000 was an enormous army, and when 30,000 red-coats might

well turn the tide on any field of battle in Europe; but where would our two Army Corps be in a Franco-German War or in an Austro-Russian War now? Then imagine the Government, having sent those two Army Corps abroad, relying upon the fact that they had a second Army in the Militia and the Volunteers at home. They would be emboldened by the fact that the moment they called out the Militia, they were not only legally, but by the sanction of Parliament, empowered to treat the Volunteers exactly as they treated the Militia, providing they did not take them actually out of the boundaries of the country. What gave us our sense of security at home, and what gave us abroad the position of a country which, whatever mistakes she might make in her small Colonial countries, was still impregnable on her own shores, was the fact that we had 190,000 or 200,000 men who, in case of serious danger, would very rapidly be increased to an almost indefinite number—Infantry, equal to any Infantry in the world, who could make our shores absolutely secure from the danger of invasion. It had been said—"Oh, we shall make a very partial use of this power. We shall only require to have a few regiments of Volunteers for the purpose of garrisoning certain towns." They might call out a few regiments of Volunteers only, under the new circumstances, but they would alter the conditions of service of the whole Force. He did not know what effect the Bill would have upon the numbers of the Volunteers. Even with the immense love our nation had for fighting, he did not believe it was the case that the most thorough-going Volunteer officers amongst us were by any means agreed upon the wisdom of the change. What might be the feeling in the neighbourhood of London he did not know; but in his county (Northumberland), where the officers were not only very keen citizen soldiers, but were large employers of labour, he thought the officers were opposed to the clause. He could not see what this clause would give a good Government; but he was very much afraid of what it would give Governments that were not good Governments. If they voted boldly against the clause they might be beaten; but he could not help thinking that if there was a considerable vote—a vote backed up by the eminent military authority of the hon. and gallant Gentleman the Member for Birkenhead—the Government might look into the matter and, preserving what was very valuable in their Bill, might see fit either to withdraw the clause on Report, or to alter it in the sense which had been proposed by the hon. and gallant Member.

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he desired permission to say a few words on what had now become a really important question. He was extremely surprised to hear from the right hon. Gentleman the Member for the Bridgeton Division of Glasgow (Sir George Trevelyan) that he had no wish whatever that this country should be fully or even fairly prepared for war. [*Cries of* "Oh, oh!"] The right hon. Gentleman had stated most distinctly—no man could state it more clearly—that he thought it a most fatal thing that there should be two Army Corps at all, prepared to face any danger which might arise.

SIR GEORGE TREVELYAN hoped the hon. and gallant Gentleman would allow him to correct him. What he said was that the defence of the country was such a paramount object that we ought to concentrate our efforts upon the Fleet, and he thought it a mistake to concentrate re-organization around the fact of having two Army Corps thrown on the Continent.

SIR WALTER B. BARTTELOT said, that if we were to be prepared for an emergency, we must be prepared, at any rate, to place a certain number of troops in the field. Looking at the position of the country, he was quite certain that his hon. and gallant Friend the Member for Birkenhead (Sir Edward Hamley), although he was paid a compliment by the right hon. Gentleman the Member for the Bridgeton Division of Glasgow, would not accept the compliment, if he thought that anything he was doing to-day would prevent in the least degree the defence of this great and magnificent Empire. He was surprised to hear the right hon. Gentleman (Sir George Trevelyan) talk of the Army, for he thought they were dealing not with the Army, but with the Volunteers and the Yeomanry. Now, as to the Volunteers, let him (Sir Walter B. Barttelot)

say, as one who having served for some considerable time in the Army, and then in the Volunteer Force, he knew full well the real worth of the Volunteers. In his opinion, it would be a most unfortunate thing for the country if anything done in the House of Commons should in any way detract from the value of that Force, and make that Force feel that it was not in the position which it thought it ought to occupy in the defence of the country. He meant by that that it would be a very unwise thing if the Volunteers did not exactly know the footing on which they stood, supposing they were to be called out for the defence of the country. Here he came to a point on which he did not think his hon. Friend the Financial Secretary to the War Office (Mr. Brodrick) was quite as clear as he might have been. His hon. Friend said that if the Militia were embodied, the Volunteers and the Yeomanry could, on account of that very fact, be called out for service.

MR. BRODRICK said, that what he said was that they were rendered liable to be called out, and, in the dispositions by the Military Authorities, they might be taken into account.

SIR WALTER B. BARTTELOT said, that that was an important part of the whole question, and he did not think it had been quite clearly understood. Let him put the case as he understood it. Supposing, which he hoped would never occur, we were again engaged in a war with Russia, and we had sent a number of Militia regiments to the Mediterranean. He did not suppose for one moment that the fact of a certain number of Militia regiments being embodied would, of necessity, cause the calling out of the whole of the Volunteer Force. That was a question they ought absolutely to be sure upon, because it was one of those questions which would naturally be asked and canvassed after the debate of that day. Again, supposing it was necessary to embody a very considerable number of Militia regiments, it would not be necessary to call out the whole of the Volunteers, but only a certain number. In his opinion, no Volunteers would be called out unless there was some absolute necessity and some immediate danger. Reading this from a common sense point of view, one could surely see that the Government looked upon it as absolutely necessary that they should have it in their power to call out, when the Militia was embodied, such a number of the Volunteers and Yeomanry as they might think indispensable for the efficient defence of the country. No one would, for a moment, contend that we were in the same position that we occupied a few years ago. No one denied that if danger did come it might come quickly, and very likely far quicker than people were aware; and, surely, after what they had heard from the right hon. Gentleman who had just sat down (Sir George Trevelyan), everyone must agree that it was absolutely necessary that the Volunteers should be efficiently trained. When they came to look at the new arms in use for military purposes, the necessity of giving the Volunteers the opportunity of making themselves acquainted with them must be apparent to everyone. And he should now sit down, were it not for one other point that he thought it desirable to mention, and that was the relations existing between the men who formed the bulk of the Volunteers and their employers. The attitude of many employers was a thing to be deeply regretted —was a thing he had grieved about more than anything else connected with this question. Here we were in this country under, not compulsory enlistment, but a voluntary service; and we might depend upon it, despite what had fallen from the hon. Gentleman below the Gangway opposite (Mr. Molloy), we should never have anything but a voluntary service, and it would be a bad day, indeed, for any Ministry that ever proposed that we should have any but a voluntary service in this country. Here we were under a voluntary service, in which the employers of the country were not called on themselves to take part; and although the only object of the men who were Volunteers was to serve their country and protect it from foreign invasion, and, in so doing, protect the trade and commerce of the country, which, of course, included, in a marked degree, the interests of these employers, those employers were not always inclined—though he admitted there were many honourable exceptions —to give their servants the necessary time to become efficient Volunteers, but threatened to turn them off if their duty in connection with their

corps interfered with their ordinary employment. That, he maintained, was a question which deserved the serious attention of all men in the position of employers who were making—and, he hoped, would continue to make—large fortunes out of trade and commerce. They should consider the matter from the point of view of their own interest, if not from that of the country at large, and the instinct of self-preservation should restrain them from placing any obstacle in the way of their men becoming efficient Volunteers.

Mr. J. ROWLANDS (Finsbury, E.) said, he was glad the hon. and gallant Baronet (Sir Walter B. Barttelot) had suddenly awakened to the fact that this was a most important question. Some of them, before the hon. and gallant Baronet had spoken, already thought it a most important question—indeed, looked upon the clause as one of the most important matters which had come before the Committee this Session. He was extremely pleased that the Front Bench on that (the Opposition) side had taken up a position with hon. Members below the Gangway, and would go with them in the Division which would undoubtedly take place. The hon. and gallant Baronet (Sir Walter B. Barttelot) had said it would be a bad day's work for any Government to try to introduce the conscription in this country. Well, undoubtedly it would, if a Government attempted to do it in broad daylight and in an open-handed manner; but, instead of that, they were attempting to get as near it as they could by invidious and insidious measures like the 2nd clause of the Bill. If the 2nd clause meant anything, it meant another step towards that system of conscription which was the goal to which many hon. Gentlemen opposite were anxious and were endeavouring to attain. He could promise hon. Members that there were some on that (the Opposition) side of the House, himself amongst the number, who would fight them to the death before they carried out their wish in that respect. ["Oh, oh!"] He spoke figuratively, of course, as he had thought hon. Members opposite would have sufficient sense to understand. He had listened to the speech of the hon. Gentleman the Financial Secretary to the War Office (Mr. Brodrick), but was not quite sure whether he had spoken in favour of the clause or against it. It seemed to him that if any weight was to be attached to what fell from the hon. Gentleman, his words were rather more against the position the Government had taken up than in favour of it, because he told them that if they looked into the law as it at present stood they would find that there was full scope in that law for doing that which was proposed under the clause. The hon. Gentleman was not sure that there was not more scope under the existing law to call on the Volunteers than there would be when the Bill was passed. He had said—"I am not sure, if you carefully go into the matter, you will not find that the words 'actual' or 'apprehended invasion' cover more than the clause of this Bill." Well, let the hon. Gentleman stand by what he had said; and if he and the Government of which he was a Member really thought that the law as it at present stood gave them as much power, or almost as much power, as they would have when the Bill was passed, why were they not satisfied with that power, and why did they seek to alter it? What justification could there be for legislation, unless the Government desired to obtain something which was not within the scope of the law at the present time? If they had the slightest idea—or if there was nothing but a little doubt on the question—that they had as much power under the existing law as they would if this new law was passed, why should the Government go to the trouble of harassing the Legislature by asking it to pass a new clause in a Bill like this? But, as a matter of fact, they were now dealing with this matter from the standpoint that some hon. Members opposite did not believe the Government possessed under the existing law the same power that they would possess under this Bill. They wished to alter the whole constitution of the Volunteer Force. That Force, as its name implied, was a Volunteer Force. What did hon. Gentlemen opposite wish to do? Why, to put the Force in a position that he never yet found any Volunteer desirous of getting into. It was all very well to quote the opinion of officers; but the hon. Gentleman the Financial Secretary to the War Office had not given them the opinion of the men. The officers, of course, looked

forward to having as much military command as possible; but what the Committee had to consider was not the opinions of the officers, but that of the vast body of the Force.

MR. BRODRICK said, he had, in his speech, alluded to the fact that in a great many places the men had been consulted.

MR. J. ROWLANDS said, he was sorry the hon. Gentleman had not supplied them with some information as to where and how the men had been consulted on the question. The Committee would have been very glad to have had placed at its disposal all the information procurable on the point. Did the hon. Member, or did any other hon. Member opposite, for one moment contend that the Volunteers would care to be put in the same category as the Militia? Would any hon. or right hon. Gentleman contend for one moment that the Volunteers had been desirous of being considered in the same category with the Militia Force? Had they not considered themselves something different? The Volunteers had always considered that their services would only be availed of when some event directly threatening the country occurred. He had not the slightest doubt that at a time of great emergency —which hon. Gentlemen opposite were always foreseeing—they would readily obtain the voluntary service, not only of the Volunteer Force, but of a large number of persons outside the Volunteer Force; but there must still be a necessity for such a call upon the citizenship of the country to render the service which would, he thought, be desirable under such conditions. What he was afraid of, and what he thought they could plainly see, was that the Government were not going to wait for events of that description, but wanted by the Bill to get a power over the Volunteer Force of this country which they had never yet possessed. And having that power, the country was to trust to their good sense as to whether at some time or the other they would put it in force or not. The Committee were told by hon. Gentlemen opposite that the Government would not put the power in force until a great emergency arose. Well, he did not think that their experience of the manner in which the Government had carried out other powers entrusted to them was such as to induce them to trust the Government with any new powers to be used according to the dictates of good sense. If the Government were entrusted with the power of calling out the Volunteers, looking calmly at what these Gentlemen had done on previous occasions, he was afraid that at some future time many people would have reason to complain that the men were called out when there was no necessity for it. The working classes had had their business relations needlessly disturbed by the calling out of the Reserves; men had been called out, and kept in the ranks long enough to lose their situations, and the trading and commercial arrangements of the country had been disorganized by the stupid action of certain Governments on former occasions. If the power now sought were bestowed upon the present Government, it would be liable to much greater abuse even than the existing law applicable to the Regular Reserves. The country was not, he thought, prepared to entrust these new powers to the Government at that moment. They wished to maintain the Volunteer Force purely as a Volunteer Force. The Government had had experience of what certain members of the Force would be prepared to do when there was a legitimate call upon their services. He was sure of this—that they would not, so readily as hon. Gentlemen seemed to believe, be prepared to be engrafted on the Militia of the country as the Bill, if it became an Act, would engraft them. The Government were asking that they might have power to treat the Volunteers just as they treated their Militia. The Militia were not a Volunteer Force. The Militia stood in a different category altogether to the Volunteers. The Militia were treated differently, and he asserted that the Volunteers did not wish to be treated in the way the Bill sought to treat them. He could not see why the Government should go out of its way to carry the clause of the Bill, especially after the very weak defence of it which had been given by the hon. Gentleman the Financial Secretary to the War Office. If the hon. Gentleman believed in his own argument, if he believed that the power he had described existed under the present law, he had all the power he required—all the power any Government, which did not intend to act in a way prejudicial to the welfare

of the country, could require. No legislation was required. The Government wished to get power with regard to the Volunteers which did not exist at the present time, and the granting of that power he should resist as long as he was able.

Mr. A. L. BROWN (Hawick, &c.) said, he was sorry to intrude upon the attention of the Committee upon a Military Bill; but perhaps he would be excused if he spoke from an employer's point of view. The hon. Gentleman the Financial Secretary to the War Office (Mr. Brodrick) said that the Bill had been well discussed, and he was asked to explain when. The hon. Gentleman then said the Bill had been well circulated, and he supposed that Volunteers and employers of labour knew all about it. He (Mr. A. L. Brown) made bold to say that not one employer of labour in 500 knew anything about the measure. He made bold to say that the majority of employers did not know that Militiamen even were liable to be called out. He begged the hon. Gentleman to dismiss from his mind the idea that employers of labour knew anything whatever about the proposal. What he was satisfied of was, that if Volunteers were put on the same footing as Militiamen, the first time they were called out it would be the last time they would get employment where they had been engaged. Personally, he kept open at his works the places vacated by Militiamen during the time of training; but he wished the Committee to understand that employers were not their own masters; they required to consult their foremen, and over and over again, when he had gone to his foremen, they had grumbled that they had to keep places open. Unless employers kept their eyes on the foremen, the foremen would, in most cases, dismiss men who were liable to be called out, and get men on whose services they could rely for the whole year. What was the result? Why, that when employers found thoroughly respectable men they advised them to cease their service in the Militia; if such men could not buy themselves out, employers advanced them money to enable them to do so. There were two ways of managing our national defences—by the present system of Regular soldiers and Volunteers, or by Conscription. We could not have Volunteers and Conscription. The Militia was our weak point, and the sooner it was done away with the better. He spoke as an employer, anxious to keep the places of Militiamen open, but who found it impossible to do so.

Mr. BROOKFIELD (Sussex, Rye) said, that whatever the hon. Gentleman's (Mr. A. L. Brown's) intentions might be, he had thoroughly confirmed the statement of the hon. and gallant Baronet (Sir Walter B. Barttelot) with regard to the dangers which might arise from selfishness and want of patriotism on the part of employers of labour. The hon. Gentleman said there were two ways of keeping up the defences of the country in a proper way; he might have mentioned a third way, and that was by employers of labour awakening to a proper sense of their duties and responsibilities.

Mr. A. L. BROWN said, he explained that he had endeavoured to keep the places of Militiamen open, but had found it impossible to do so.

Mr. BROOKFIELD said, he would admit that it was impossible from the hon. Gentleman's point of view. Certainly, there was one weak point in the clause, and that was the possibility of difficulties between Volunteers and their selfish and unpatriotic employers. The hon. Member for East Finsbury (Mr. J. Rowlands) spoke of this as an insidious attempt to institute conscription. The hon. Gentleman, like a great many other people who had only received an imperfect education—[*Cries of* "Oh, oh!"]—an imperfect military education——

Mr. J. ROWLANDS: That is a thing of which I am proud.

The CHAIRMAN: The hon. Gentleman said he spoke from a military point of view.

Mr. BROOKFIELD said, he should be sorry to be at all offensive; but he must remind the hon. Gentleman that he himself indulged in a good deal of invective. As a matter of fact, conscription did exist to this extent—it was not generally known—that all subjects, with a few specified exceptions, were liable to the ballot for the Militia. The fact that this law was only in abeyance was emphasized by the circumstance that Volunteers, on being enrolled, were expressly exempted from the ballot for the Militia. It would be a matter for serious consideration if, when this clause became law, as he trusted it would, em-

ployers dismissed Volunteers from their employment. It would be very hard that Volunteers, who had hitherto enjoyed exemption from the ballot for the Militia, should find their services rewarded by loss of employment and the means of livelihood. He thought the Committee must be of opinion that the matter had now been sufficiently discussed, and therefore he begged to move, "That the Question be now put."

The CHAIRMAN withheld his assent, and declined then to put that Question.

Mr. BRUNNER (Cheshire, Northwich) said, it was not easy for him to speak with coolness in answering the hon. Member opposite (Mr. Brookfield). If it were not for the patriotism, the generosity—he might say the self-denial—of the large employers of labour in the country, the Volunteers would be a very small body. The hon. Gentleman opposite had spoken of the deficiency of military education on the part of the hon. Member for East Finsbury (Mr. J. Rowlands). The hon. Gentleman, however, showed his own ignorance of the Volunteer Service when he spoke of the selfishness and the want of patriotism of employers of labour. He (Mr. Brunner) could speak freely upon this subject, because he had done very little for the Volunteers. He was brought up in the principles of the Peace Society. He confessed he was not fond of a Militiaman, but he might say that he had a number of Volunteers in his employ, and he recognized them as amongst the smartest, most upright, and most trustworthy men he had. His experience, however, had been the same as that of his hon. Friend the Member for Hawick (Mr. A. L. Brown). When, a good many years ago, a foreman had found fault with the fact that a Volunteer in his service wanted time to go into camp, he (Mr. Brunner) had remonstrated, and had begged he would keep his post open for the man, simply for the reason that he thought the man was doing his duty by the country, and that these Volunteers were not only a credit to the country, but a credit to him.

Mr. M'LAREN (Cheshire, Crewe) said, he desired to say a word or two from the employers of labour point of view. The London and North-Western Railway Company had, at Crewe, a very large and fine force of Volunteers. They would probably increase greatly in numbers. The men were commanded by the hon. and gallant Member for the Wirral Division of Cheshire (Captain Cotton), who would agree with him that if the clause was to be passed in its present form, and if Volunteers might be called out as suggested, the whole of the London and North-Western Railway system might be brought to a standstill. That railway system might not be able to go on if, at some future time, the whole of the Volunteers in the service of the Company were carried off; and, therefore, the Government were embarking in a very much more serious thing than he was convinced they had any idea of. It was not a case of a very few Volunteers or Militiamen employed by one firm or another being taken away from their work, and their positions being kept open for them. It was a very grave thing to a town like Crewe, and to the London and North-Western Railway Company, if a large body of men were to be taken away from the town and from the Crewe works upon which the town and the railway system were dependent. There were engines, carriages, and trucks being sent to Crewe every day for repairs; there were new machines to be made; there were improvements to be made; and he maintained that they would do an infinitely greater amount of harm to the country by bringing the London and North-Western system to a standstill, than they could possibly do by leaving matters as at present. It was impossible for him to consent to the passing of the clause without some modification which would, at any rate, meet the case he had put, and which would protect a great system like that of a Railway Company. He strongly urged the Government to take time to reconsider the question. He felt that the Committee should not be pressed to come to a decision now, especially in the absence of the right hon. Gentleman the Secretary of State for War (Mr. E. Stanhope). He did not know where the right hon. Gentleman was; but if he was necessarily absent——

The CHAIRMAN: Order, order!

It being half an hour after Five of the clock, the Chairman left the

Chair to make his Report to the House.

Committee report Progress; to sit again *To-morrow.*

QUESTION.

LICENSING LAWS BILL.

SIR WILLIAM HOULDSWORTH (Manchester, N.W.) asked the Attorney General, Whether, in view of the importance of the subject, the Government would take it into their consideration during the Recess?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight), in reply, said, it certainly was a matter worthy of consideration, and would be considered.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ARREST OF MR. J. J. O'KELLY.

MR. SPEAKER acquainted the House, that he had received the following Letter, relating to the arrest of a Member of this House:—

"25 July 1888.

Sir,

I have the honour to inform you that Mr. J. J. O'Kelly, M.P. for Roscommon, was arrested last night in Mark Lane, in the City of London, on a warrant granted by H. Turner, esquire, a Justice of the Peace for the County of Roscommon, and duly backed by me, a Metropolitan Police Magistrate, for taking part in an unlawful assembly, and for inciting other persons to take part in an unlawful assembly at Boyle, in the said county of Roscommon, and that the same Mr. J. J. O'Kelly has been handed over to officers of the Royal Irish Constabulary for conveyance to Ireland in custody under such warrant.

I have the honour to be,
Sir,
Your obedient servant,
J. J. INGHAM.

The Right Honourable
The Speaker of the House of Commons."

MR. PARNELL (Cork): I wish to ask the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland (Mr. A. J. Balfour), with reference to the arrest of the hon. Member for North Roscommon, whether there is no way in which persons resident in England can be cited before Courts of Summary Jurisdiction in Ireland except by arresting them?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): Well, Sir, that is a legal Question, to which I am afraid I can give no answer. I do not know whether any of my learned Friends can—I certainly cannot. But if the hon. Gentleman will put the Question on the Paper, I will endeavour to answer it.

MR. PARNELL: Then, I will ask the legal Gentleman who sits by the right hon. Gentleman's side. I mean the hon. and learned Solicitor General for Ireland (Mr. Madden). I think he ought to be able to answer such a small point connected with Summary Jurisdiction Law in Ireland.

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): I am not aware of any means of enforcing in England a summons, which, of course, would be the alternative to a warrant. There are statutory provisions for enforcing warrants, but those provisions do not apply to summonses.

MR. CHANCE (Kilkenny, S.): The question is not that of enforcing it. It is a question of issuing and serving a summons—that is what I understand to have been the Question of my hon. Friend the Member for Cork. The objection is that the issuing of a warrant instead of a summons goes to support the wilful presumption that seems to exist in the minds of the Government, that hon. Members in the House would shirk inquiry under the Crimes Act, and that is not borne out by the facts.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): The usual course under the Crimes Act would be by summons, and if the Government have decided to proceed by summons on this occasion the hon. Member for North Roscommon might have remained in England and performed his Parliamentary duties until the time of the preliminary inquiry. But the effect of the Government suddenly seizing him by their agents is to remove the hon. Member from the performance of his Parliamentary duties, although there could be no apprehension in the mind of any sane person that the hon. Member would have avoided responsibility for his action. This is a cowardly and vindictive proceeding on the part of the Government,

and I wish to ask the Government whether they will, at least, undertake that when my hon. Friend is brought before the magistrate in Ireland, they will instruct their legal agent to assent to his being released on bail in order that he can continue to take part in the discussion of the important Irish questions pending before the House, and perform his Parliamentary duties until the time arises when he shall become answerable to the tribunal before whom he may be required to appear?

MR. A. J. BALFOUR: I have no doubt that the proper course will be taken by the magistrates when the hon. Gentleman is brought before them; but I do not think the magistrates will be, or ought to be, influenced by any consideration of what the hon. Member would or would not do in this House.

MR. SEXTON: Will the right hon. Gentleman instruct his legal agents, who appear, not to oppose bail, especially as there is no ground for apprehending that my hon. Friend would fail to appear?

[No reply.]

MR. PARNELL: I must press for an answer to my Question, whether any way exists for citing persons resident in this country before Courts of Summary Jurisdiction in Ireland other than by warrant?

MR. MADDEN: I think I have answered that Question, at least I intended to do so. The two modes of procedure are by summons and by warrant. There are statutable provisions for backing warrants and enforcing them in England. I am not aware, and I do not believe, that there is any such statutable procedure in regard to summonses; and, therefore, an Irish summons, as I recollect the Statute, could not be enforced in England. But if the hon. Member requires a more careful and deliberate answer, perhaps he will put a Question on the Paper.

MR. PARNELL: But could the summons be served?

MR. MADDEN: I do not believe, speaking offhand, that it could be served. I do not think there are any provisions whatever for the service in England of a summons issued under a summary jurisdiction in Ireland. I do not believe there is any such procedure known to the law, and certainly it could not be enforced. That is, speaking from my recollection. If the hon. Gentleman wishes, I will look into the matter carefully if he will put a Question on the Paper.

MR. EDWARD HARRINGTON (Kerry, W.): Mr. Speaker, I wish to ask you, Sir, whether there is any precedent for a communication to the House of the arrest of a Member, and whether the precedents have not been for communicating only the conviction of a Member; also, whether you, Sir, as presiding over this House, conceive it to be your duty to instantly make the communication at the end of opposed Business of the day, and at the time of unopposed Business; and whether it would not be more to the convenience of the House if you conceived that your duty was to make that announcement to-morrow at the commencement of Business, when, if there was any irregularity in the communication, or anything arising out of the circumstances which might make it the occasion of a question of Privilege, the House might be in a better position for a discussion of the matter? Of course, at the present time there can be practically no discussion.

MR. SPEAKER: There is nothing in the argument of the hon. Gentleman. At an earlier period of the Sitting, complaint was made by hon. Gentlemen who sit near the hon. Member that no communication had been made to the House by me; and I then informed those hon. Gentlemen that no communication had been made to me, and that the moment it was made it would be my duty to communicate it to the House. I have always acted on the principle that the arrest of a Member is a most important matter, and ought not to be kept back from the House; and I therefore took the earliest opportunity of making the communication of the fact to the House.

MR. PARNELL: Cannot the right hon. Gentleman the Chief Secretary for Ireland give a more definite answer to the Question of the right hon. Member for West Belfast, as to whether the agents of the Crown will be instructed to agree to bail, so that my hon. Friend may return to his Parliamentary duties, more especially in view—and this has reference to the Executive in Ireland—of most important proceedings affecting

Irish Members which are now pending?

MR. A. J. BALFOUR: I have no doubt that substantial bail will not be refused, unless there is very good ground for refusing it. I am not aware whether there is such ground or not; but hon. Gentlemen will see when the proceedings are gone into. The hon. Member knows that it is for the learned Attorney General for Ireland to regulate these matters, and I certainly could not give an answer.

MR. T. P. O'CONNOR (Liverpool, Scotland): May I ask the right hon. Gentleman why it was the arrest of Mr. O'Kelly was made yesterday for a speech delivered two or three weeks ago, in the month of June?

MR. HAYDEN (Leitrim, S.): And may I ask was the meeting which Mr. O'Kelly attended, which is described as an "unlawful assembly," a proclaimed meeting; and, if not, why was it an unlawful assembly?

[No reply.]

DR. TANNER: May I ask the right hon. Gentleman the Chief Secretary for Ireland how it was, when Mr. O'Kelly was arrested last night in the City of London, the warrant having been issued in Ireland, the right hon. Gentleman did not take the trouble to be in his place this morning to answer the Questions which had been addressed to the Members of the Government present, not a single one of whom was acquainted, or who at least professed not to be acquainted, with the arrest of Mr. O'Kelly?

[No reply.]

DR. TANNER: May I press upon the right hon. Gentleman that in the event of a similar case occurring he will be in his place, and not run away, as he is in the habit of doing?

MR. SPEAKER: Order, order!

MR. T. P. O'CONNOR: I put a Question to the right hon. Gentleman previously, which he did not answer, and I do not know whether he requires Notice. Is it not a fact that the speech for which Mr. O'Kelly has been arrested was delivered on June 24, and it is now July 25? I will ask the right hon. Gentleman if he can explain why it was that the hon. Member was not arrested until a month after the speech had been delivered?

MR. A. J. BALFOUR: Certainly, that is a Question that requires Notice.

PERSONAL EXPLANATION.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.

MR. FIRTH (Dundee) said, that he had risen not with reference to the arrest of Mr. O'Kelly, but with regard to a matter personal to himself. He was reported in some of the papers (not in *The Times*) as having dissented from the hon. and learned Attorney General's statement last night—

> "That there was no member of the Profession of five years' standing who would not admit that, if counsel for the defendant was not in a position to apply for a non-suit, he must open his case,"

and it was also reported that the hon. and learned Gentleman then amended his phrase and said, "no member of the Bar of any position." Since certain papers were commenting on this alleged incident in the debate, one even having gone into poetry on the subject, he wished to disclaim that, and to say that he agreed with the Attorney General's observation as to the practice of counsel, and, therefore, was not likely to contradict it.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, he noticed the interruption referred to, and recognized from whom it came, and it certainly was not from the hon. and learned Member. He knew perfectly well that the hon. and learned Gentleman had had considerable experience at the Bar.

QUESTIONS.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—THE MEMBER FOR EAST MAYO (MR. JOHN DILLON)—CONDITIONAL ORDER OF HABEAS CORPUS.

MR. CHANCE (Kilkenny, S.) said, he wished to ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the Irish Court of Exchequer that day granted a conditional order for a *habeas corpus* in the case of Mr. Dillon, and how long had Mr. Dillon already been in gaol?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have no information on the subject I am afraid.

BUSINESS OF THE HOUSE.

MR. BROADHURST (Nottingham, W.) asked, when the Report stage of the Employers' Liability Bill would be taken?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.), in reply, said, he did not know the particular day, but proper Notice would be given. The First Lord of the Treasury would make a statement to-morrow.

SIR JOHN SWINBURNE (Staffordshire, Lichfield) asked, when the Tithes Bill would be taken?

MR. JACKSON said, information on that subject would be given when his right hon. Friend made his statement to-morrow.

IMPERIAL DEFENCE BILL.

Resolutions [July 24] *reported*, and *agreed to*.

Ordered, that the Resolutions which were reported to the House on the 24th instant, and then agreed to, read:—

Bill upon the said Resolutions, and upon the Resolutions now agreed to, *ordered* to be brought in by Mr. Courtney, Mr. William Henry Smith, Mr. Secretary Stanhope, and Lord George Hamilton.

Bill *presented*, and read the first time. [Bill 346.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Tuesday, 26th July, 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—Forest of Dean Turnpike Trust * (232).

Second Reading—Indian Councils Act, 1861, Amendment (224).

Committee — Libel Law Amendment (231); Companies (153-236).

Third Reading—Supreme Court of Judicature Act (Ireland) (1877) Amendment (199-235); Coroners (36); Land Charges Registration and Searches (221), and *passed*; Companies Clauses Consolidation Act (1845) Amendment (230), *discharged*.

PROVISIONAL ORDER BILLS—*Second Reading*—Pier and Harbour (No. 2) * (223).

Report—Local Government (No. 13) * (207).

INDIAN COUNCILS ACT, 1861, AMENDMENT BILL.—(No. 224.)

(*The Viscount Cross.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS), in moving that the Bill be now read a second time, said, that its object was simply to rectify a mistake in the drafting of the Act of 1861.

Moved, "That the Bill be now read 2ª."—(*The Viscount Cross.*)

Motion *agreed to*; Bill read 2ª accordingly) and *committed* to a Committee of the Whole House *To-morrow*.

LIBEL LAW AMENDMENT BILL.

(*The Lord Monkswell.*)

(NO. 190.) COMMITTEE.

House again in Committee (according to order).

LORD MONKSWELL said, he did not propose to move any new clause to take the place of Clause 7, which had been struck out, because Clause 7 was really very much the same as Clause 7 in Lord Campbell's Act. He agreed with what the Lord Chief Justice stated the other night as to the great undesirability of having two enactments on the Statute Book dealing with the same subject-matter in much the same way, and he preferred the section in Lord Campbell's Act, because it had been the subject of judicial interpretation.

Clause 10 (This Act shall not apply to Scotland).

THE MARQUESS OF WATERFORD: Why is the Bill not to apply to Scotland?

LORD MONKSWELL: Because the existing Law of Libel is different there from that in England, and somewhat resembles what the law will be if this Bill is passed.

Clause *agreed to*.

Clause 11 (Short title) *agreed to*.

House *resumed*.

On Question that the Bill be reported?

THE LORD CHANCELLOR (Lord HALSBURY) said, that he was under the

impression that a new clause would be proposed to make a person liable for a libel spoken at a public meeting in the same manner as if it were published in a newspaper.

LORD MONKSWELL said, that a new clause for the purpose would be proposed on the Report.

LORD HALSBURY said, he understood that some remarks made on the last occasion when the Bill was before the House, in reference to the clause moved by the Lord Chief Justice (Lord Coleridge) providing that criminal prosecution for libels published in newspapers should not be instituted without the *fiat* of the Attorney General or an order of a Judge at Chambers, had been thought to reflect on the manner in which the Public Prosecutor had exercised his duties in granting *fiats* for criminal prosecutions for libel. He (Lord Halsbury) felt sure that they were not made in that sense—there was no intention to cast any reflection upon him. He had received a letter from Sir Augustus Stephenson embodying some statistics from which it appeared that since his appointment 82 applications had been made to him under Section 3 of the Newspaper Libel Act, of which 53 were refused, 27 were granted, one was withdrawn, and one stood over for consideration. Those figures showed conclusively that the *fiat* of the Public Prosecutor was not granted as a matter of course, as the Lord Chief Justice seemed to suppose. He (Lord Halsbury) was quite satisfied that Sir Augustus Stephenson was the very last person to discharge any duty he undertook in anything like a perfunctory manner.

LORD COLERIDGE (LORD CHIEF JUSTICE OF ENGLAND) said, nothing was further from his mind when he proposed his Amendment than to cast any imputation upon Sir Augustus Stephenson. On that occasion he did not profess to give any opinion of his own; he simply read a letter which was addressed to him by the secretary of a large body of newspaper proprietors embodying their views, and expressing a wish that some such clause as that which he moved should be added to the Bill. As to the general functions of the Public Prosecutor, if it became necessary, he should be glad to call the attention of their Lordships to that matter, but at present he did not desire to enter into any discussion.

Question put, and *agreed to*.

The Report of the Amendments made in Committee to be received on *Tuesday* next.

COMPANIES BILL.—(No. 153.)

(*The Lord Chancellor.*)

COMMITTEE.

House again in Committee (according to order).

Clause 7 (Particulars to be disclosed by prospectus).

Amendment *moved*, to omit Sub-section 1, and insert the following words:—

"Any contract, provision, or arrangement entered into before the complete registration of a registered company whereby any liability is imposed on the company to pay money or money's worth to any person or to confer any advantage, pecuniary or otherwise, on any person (other than such moneys and advantages as are payable to or conferred on all the shareholders of the company) shall, unless notice of such liability is given in any prospectus of the company, or unless such liability is adopted by a general meeting of the company summoned to decide on such adoption, be void to all intents as against the company."—(*The Lord Thring.*)

LORD THURLOW said, he could not help thinking that if this proposed clause were adopted as it stood, and the 4th sub-section repealing Section 38 of the Companies Act, 1867, were to remain as it stood in the Bill, a very great safeguard to the investing public would be struck away.

LORD BRABOURNE was of opinion that the clause would not have the effect,—no doubt intended by its authors—namely, to insure greater care in the issue of the prospectus. If any person who was a party to such an issue was bound under a penalty to disclose the particulars of a great many things which were "within his knowledge," the result might be either that respectable persons might be deterred from becoming Directors of perfectly good undertakings, or that those who became Directors would take care not to allow matters to be "within their knowledge" which might bring them within the provisions of the clause.

The LORD CHANCELLOR (Lord HALSBURY) said, he thought that the section proposed by the noble Lord was a very valuable one, and he would be

glad to incorporate it in the Bill, but he could not consent to omit Sub-section 1. He would accept the clause in addition to, and not in lieu of, that sub-section.

Amendment, to omit Sub-section 1 (by leave of the Committee), *withdrawn.*

New Clause *agreed to.*

On the Motion of The Lord CHANCELLOR, Amendment made, in page 3, line 39, by omitting ("is party to,") and inserting ("authorizes").

LORD THURLOW moved at the end of Sub-section 3 to add—

"Excepting in the case of such ordinary trading or business contracts as may be either too numerous to recite or might be prejudicial to the interests of the company to disclose."

He said, he thought it very undesirable to allow persons to frame a prospectus with the view of contracting themselves out of the law; but it might be impossible in the contents of a prospectus to give all the contracts which might have been entered into.

LORD HALSBURY said, he quite saw what the noble Lord meant by the Amendment, and he recognized the importance of the matter. If the noble Lord would withdraw the Amendment he would consider the question.

Amendment (by leave of the Committee) *withdrawn.*

Clause, as amended, *agreed to.*

Clause 8 (Copies of prospectus to be filed with registrar).

LORD THURLOW, in moving to omit the words "signed by," and to insert "bearing the names of," pointed out the great inconvenience that might arise if a Director were ill or abroad, and contended that some such amendment of the clause ought to be made in order to enable Companies to carry on their business.

Amendment *moved,* in page 4, line 39, leave out ("signed by,") and insert ("bearing the name of").—(*The Lord Thurlow.*)

LORD HALSBURY said, he was afraid he could not accept the Amendment. If the Amendment were agreed to, it would be very difficult to fix the responsibility for the statements in the prospectus on anyone.

LORD HERSCHELL said, that, in his opinion, unless the clause was amended, it would often have the effect of paralyzing the business operations of a Company.

LORD THURLOW hoped the noble and learned Lord would reconsider the point. He could not quite agree that the clause, if amended in the way he suggested, would afford no protection. His reading of the law was that every Director was legally responsible if his name appeared on the prospectus.

THE EARL OF SELBORNE said, he might point out that people's names had often been put on lists of Directors who had never consented to act in that capacity.

LORD HALSBURY said, he had known cases in which gentlemen whose names had appeared on prospectuses had absolutely repudiated their responsibility.

LORD HERSCHELL said, that the remarks of the noble and learned Lord only referred to new Companies. As he had said already in the case of established Companies, if a Director was ill or at the other end of the world, it would be impossible to carry on their business if the clause stood.

LORD HALSBURY said, he would agree to introduce words into the clause which would confine the effect of the clause to the first issue of a prospectus.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

Moved to insert the following New Clause after Clause 8:—

"On and after the commencement of this Act it shall not be lawful for any company to recognise or permit any dealings in or transfers of the shares of the company previous to allotment; and any company so infringing under this section shall render itself liable to a fine of £50 in each case of such infringement, and may be held to be guilty of a misdemeanour."—(*The Lord Thurlow.*)

LORD HALSBURY said, he would accept the clause in substance; but it would, he thought, require amendment.

Clause amended, by the omission of the words ("and may be held to be guilty of a misdemeanour,") and *agreed to.*

LORD THURLOW moved the following as a New Clause:—

"On and after the commencement of this Act it shall be lawful for any company to issue

any portion of its capital at such a premium or at such a discount as may have been sanctioned at a general meeting of the shareholders of the company by a majority of not less than two-thirds of their number present and voting or duly represented by proxies."

He thought that this was a matter of some importance. It had exercised the minds of the London Chamber of Commerce and other great Bodies, and he thought their Lordships ought to deal with it.

THE EARL OF SELBORNE thought the clause would be highly objectionable unless it was confined to the issue of new capital.

THE EARL OF CRAWFORD said, he hoped the House would decide this question one way or the other, as at present the law on the matter was very unsettled.

LORD HALSBURY said, some of their Lordships would probably have to settle this point in their judicial capacity. He could not accept the clause, but would consider the point with which it dealt before the Report stage.

Clause (by leave of the Committee) *withdrawn.*

Clause 9 (Restriction on allotment of shares and debentures) *agreed to.*

Clause 10 (Prohibition of purchase of shares by company) *agreed to.*

Clause 11 (Liability of directors, &c. in respect of qualifying shares).

Amendment *moved*, to leave out Clause 11, and insert the following Clause:—

"(1.) The articles of association of the company shall state the number of shares required as qualification for holding the office of a director of the company, and every case where a director, as a vendor or otherwise, acquires such qualification otherwise than by payment in cash, in the same manner as public subscribers, shall be fully disclosed on the prospectus.

(2.) Any default in complying with this section shall render the person so defaulting liable to a fine not exceeding ten pounds for every day during which the default continues." —(*The Lord Thurlow.*)

LORD BRABOURNE said, that it was most undesirable, as well as unfair, that Directors should be placed in a different position from all the other shareholders, and compelled to pay up the whole of the capital which they might have invested in the Company, whilst other shareholders might only be called upon to pay up half, one-third, or one-fourth, according to circumstances. If this proposal were seriously made, it should also be provided that interest should be paid to the Directors upon the sum which they were thus obliged to pay in advance of everybody else.

LORD HALSBURY said, that the objections taken to the clause, as it stood in the Bill, were from the Directors' point of view. The object of the clause was to insist on the Directors really paying for their shares, and to insure their really taking an interest in the concern. He maintained that the Directors should have a real and not merely a colourable qualification, as was suggested. He could not, therefore, support the Amendment.

LORD HERSCHELL said, that taking as an example the case of a bank which was converting itself into a Company, it would be absurd to require the partners not only to give up the concern to the new Company, but to pay cash for their shares as well.

LORD BRABOURNE could not allow it to be said that his objection was "from the Directors' point of view." He spoke on behalf of the shareholders, whose interest it was to get good Directors, and good Directors would not submit to troublesome or onerous conditions. The truth was that this Bill was founded upon benevolent principles, but would be most inconvenient in its operation. It aimed at two impossible things—one, to prevent foolish people from investing their money foolishly; the other, to aid commercial operations by embarrassing and restricting them. This kind of legislation was very injurious to commercial enterprize, which commercial men could carry on much better if they were allowed greater freedom of action. He (Lord Brabourne) knew that this remark was more suited to the second reading of the Bill than to one of its clauses; but this clause was an example of the whole, and was really one of so absurd a character that it was impossible it could receive the sanction of Parliament.

On Question, "That Clause 11 stand part of the Bill?" Their Lordships *divided*:—Contents 23; Non-Contents 29: Majority 6.

Clause *struck out.*

New Clause *agreed to.*

Clause 12 (Audit of accounts of companies) *agreed to.*

Clause 13 (Balance sheet).

LORD HERSCHELL said, he had great doubts as to this clause, because it compelled every Company to make disclosures which many Companies now perfectly solid and substantial found it their interest not to make. In these days of keen competition many Companies, as part of their constitution, did not give more than limited information, and the shareholders were perfectly content it should be so.

LORD THURLOW said, he quite concurred in the observations of the noble and learned Lord.

LORD HALSBURY explained that he was now in communication with the Board of Trade, with the view of meeting the objections which had been urged, and he suggested that the matter should be postponed till Report.

Clause *agreed to.*

Clause 14 (Provisions as to valuation of plant, &c.).

LORD THURLOW moved to omit the latter part of the clause requiring that there should be appended to the balance sheet "a detailed statement of cost of all items which have been added to capital account since the issue of the last balance sheet." He objected to this provision as vexatious in its character, and prejudicial to the interests of Companies.

Amendment *moved*, in page 6, line 37, leave out from ("property") to end of the sub-section.—(*The Lord Thurlow.*)

LORD HALSBURY said, this clause had been urged upon him by a great number of persons who had shown that people were constantly being defrauded, and particularly the working classes, by the plant belonging to certain Companies being grossly misrepresented in respect of its value.

LORD THURLOW said, he hoped the noble and learned Lord would seriously consider this matter before Report. In many cases it would be absolutely impossible to give the information.

LORD THRING said, he was in favour of the Amendment.

Amendment *agreed to.*

On the Motion of Lord THURLOW, Amendment made, in page 6, sub-section (2), line 43, by leaving out from ("deducted") to end of the sub-section.

Clause, as amended, *agreed to.*

On the Motion of Lord BASING, the following New Clauses were inserted after Clause 14:—

(Power to amend memorandum of association with consent of the court.)

"Any company limited by shares may, by special resolution, so far modify the conditions contained in its memorandum of association as to extend the objects of the company or to increase its power for carrying out its objects; provided that the extended objects shall be of a similar nature to those for which the company was established, but no such resolution shall come into operation until an Order of the Chancery Division of the High Court of Justice confirming the resolution, either wholly or partially, shall have been registered by the Registrar of Joint Stock Companies in the manner hereinafter mentioned."

(Company to apply to the court for an order confirming resolution.)

"A company which has passed a special resolution as provided for in the last-mentioned section, may apply to the court, by petition, for an order confirming the resolution; and on the hearing of the petition, the court, if satisfied that the consent of every creditor of the company has been obtained, or his debt or claim has been discharged, or has determined, or has been secured in the manner provided by sections thirteen and fourteen of the Companies Act, 1867, and that the several classes of shareholders, if any, other than ordinary shareholders, have to the extent of three-fourths at least in number and value of such shares assented thereto, may make an order confirming the resolution on such terms and subject to such conditions as it deems fit."

(Order of the court to be registered.)

"The Registrar of Joint Stock Companies upon the production to him of an order of the Chancery Division of the High Court of Justice confirming the resolution, and the delivery to him of a copy of the order [and of a minute approved by the court showing that the consent of creditors had been obtained or security given as provided by sections thirteen and fourteen of the Companies Act, 1867] shall register the order [and minute] and on the registration the special resolution confirmed by the order so registered shall take effect. Notice of such registration shall be published in such manner as the court may direct.

The registrar shall certify under his hand the registration of the order [and minute] and his certificate shall be conclusive evidence that the requirements of this Act with respect to the subject matter of the order have been duly complied with."

Clause 15 (Report by liquidator on winding up, and proceedings thereupon).

LORD HERSCHELL said, he would suggest the employment of the Official

Receiver as liquidator in the winding up of Companies. The Official Receiver was a public official having no interest but that of the public. In the Bankruptcy Act very strict provisions were inserted requiring reports from time to time, meetings of creditors, declarations of dividends, or reasons why the dividends were not declared. Under the existing system the liquidation of Companies lingered on, and there was no such strict insistance on periodical reports as was exacted from the Official Receiver in Bankruptcy. A great deal of scandal would be avoided if the system which he recommended were introduced. At all events, the liquidation of small Companies should be carried on in bankruptcy. In the case of large Companies it was not of so much importance; but he really did not see why the time of the Official Receiver should not be utilized, and there would be this advantage—that he would be an independent officer. The whole subject required consideration.

THE EARL OF SELBORNE said, he did not know whether what his noble and learned Friend had suggested could be done by the present Bill; but he expressed a hope that his noble and learned Friend on the Woolsack would be able to deal with the subject in a comprehensive measure.

Clause *agreed to.*

LORD THURLOW, in moving to insert after Clause 15 a new clause, said, that, under the present law, the liquidator became master of the situation during liquidation; there were no means of bringing him to book and making him account from time to time for what was going on. It would give more satisfaction if the liquidator were placed more in the position of a servant of the shareholders whose interests were at stake, and if the shareholders were enabled to dismiss him if they chose and appoint a new liquidator.

Moved to insert, after Clause 15, the following New Clause:—

"Where a company is being wound up voluntarily the liquidator shall, once in every year during the liquidation, call a general meeting of the shareholders of the company, giving not less than eight days' notice, and submit a printed report and balance sheet of the affairs of the company, and of the proceedings during the year, for the approval and confirmation of the shareholders; and it shall be competent to the shareholders, by a majority of not less than three-fourths of those present or represented by proxies, to pass such resolutions bearing on the conduct of the liquidation as they may deem expedient: Provided that any such resolution be subject to confirmation by a three-fourths majority vote at a subsequent shareholders meeting to be called by the liquidator within not less than eight nor more than sixteen days from the date of the first meeting."—(*The Lord Thurlow.*)

LORD HALSBURY said, he would not absolutely object to the clause; but he thought if the matter was to be dealt with it should be on wider lines. The proposed clause only dealt with a small part of a much larger subject which undoubtedly required consideration.

THE EARL of SELBORNE thought the clause might be adopted now without the least prejudice to the larger treatment of the question hereafter.

Clause *agreed to*, and *added* to the Bill.

Remaining Clauses *agreed to*, with Amendments.

House resumed; Bill to be *printed* as amended. (No. 236.)

WAR OFFICE—RIFLE RANGE AT BROWNDOWN (THE SOLENT).

QUESTION. OBSERVATIONS.

LORD COLVILLE OF CULROSS, in rising to ask Her Majesty's Government, Whether it is true that the War Department has applied to the Board of Trade to have a large portion of the sea, on the north shore of the Solent, buoyed off for the purpose of a rifle range at Browndown; whether it is not the case that the firing at that range is towards the sea, and whether the limit of the range so buoyed a little more than 1,000 yards from the butts on the shore, is not in the fairway of men-of-war and all other classes of vessels proceeding from The Needles, Southampton Water, Cowes Roads, &c., towards Spithead and Portsmouth; and whether the enclosure of such a portion of the sea and foreshore will not further interfere with the fishing industry of the Solent, which has already been much injured by the submarine experiments carried out by the Naval and Military Departments? said, that this subject was creating great anxiety in the neighbourhood of the Isle of Wight, as well as at Southampton and Portsmouth, and chiefly among those who navigated the Solent. A rifle range had existed for many

years at Browndown, and it had been a source of very great danger to navigation. A noble Marquess near him (the Marquess of Exeter) had had some unpleasant experience of this danger, and a gallant Admiral had told him that, when passing in his yacht, a bullet passed through his mainsail 5 feet above his head. Another yacht-owner told him that a bullet from the range lodged in the hull of his yacht. The butts were on the sea shore, the targets being 6 feet high and the butts about 10 feet. A large board on the top, which bore the number of the butt, was riddled with bullets, and every one of the bullets that struck that board must have gone into the fairway of the Solent. The War Department had now applied to the Board of Trade for leave to enclose a very large area of the open sea for the purpose of forming a sort of *mare sacrum* in the rear of the butts. The distance from the butts to the extreme limit of the water to be buoyed off was something more than 1,000 yards, but the rifles now in use were sighted up to 1,400 yards, and, if sufficiently elevated, would, he believed, carry over three miles. He would be told there was great difficulty in finding ranges in these days. He admitted that; but he was of opinion, and so were many others to whom he had spoken, that a range could be found near Portsmouth without firing into a crowded fairway. A range might very easily be found, for instance, at the foot of the Portsdown Hills, and there there would be no danger. He would now deal with the case of the fishermen. It had been calculated that the space to be buoyed off would be nearly a square mile, or about 600 acres In answer to questions put to him, one of the oldest and most experienced fishermen of the Solent said that he considered the ground to be enclosed was a part of the very best fishing ground inside the Isle of Wight for trawling, dredging, and drifting. From July to December there was no ground inside the Island equal to it. It was also the best for oysters. He said about 100 fishermen worked over it. The fishing in the Solent had already been very much injured by torpedoes and other submarine explosives, and the take of fish was nothing like what it used to be. Taking away this ground from the fishermen would simply mean ruination. During the months of September and October this fishing ground was crowded with boats catching whiting. Even if permission were given to fish the ground when rifle practice was not going on, they would not avail themselves of it. The fishermen would not risk their nets and trawls in a space occupied by the anchors and other ground gear necessary to keep the War Department buoys in their places. He trusted he would hear from his noble Friend that the project had been given up.

THE EARL OF NORMANTON said, that he had known Browndown 40 years or more and was personally and intimately acquainted with the place where experiments were being carried on, but had no personal interest in the matter. For many years past he had not been a yacht-owner, and he did not think he was likely to be one in the present state of agriculture. He said this, however—he should not be surprised if, before this controversy were ended, they were told that it was a question which only affected yachts and yacht-owners; but it was not so. The real interests affected were the coasting traders and the fishermen. With regard to the former, he contended that in certain states of weather the proposed rifle range would render the entrance to Southampton very dangerous and difficult. With regard to the fishing industry, he received the other day a letter from a gentleman acquainted with the locality, in which he said—

> "We are talking of nothing else but the proposed encroachment of the War Office. It will practically enclose the best ground for trawling and live baiting."

Again, it was probable that the soldiers, knowing they had this expanse of water behind the butts, would be more reckless than before.

> "Recent events had not said much for the popularity of Her Majesty's Government in the neighbourhood of Southampton, and it was not likely to be improved by the scheme proposed, if carried out."

He trusted his noble Friend would receive a satisfactory answer.

THE MARQUESS OF EXETER said, that having had some experience of the dangers likely to happen from this rifle range, he wished to add his testimony to that of his noble Friends. Over and over again, when he himself was fishing, he had heard the bullets whizz over his head. He would, however, especially

appeal to the Government on behalf of the fishermen, whose main fishing ground was rendered dangerous owing to this range. He had received a letter from an Artillery officer in which the danger of this range was asserted, and in which a case was mentioned of a fisherman who, in the month of October, 1886, while fishing in his boat, was shot in the leg. This was one instance showing the danger, and other similar cases had occurred. It was the ricochet shots of the new recruits which were of greatest danger. The range was dangerous to an important sea thoroughfare, and also to a most valuable fishing ground, and if the War Office could not remove it altogether, the Authorities ought at least to alter the angle at which it was now situated, and earth butts at least 40 feet high ought to be erected.

THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS) said, the ranges at Browndown had been in existence for upwards of half-a-century, and if the Military Authorities had not been as careful as they had been, this matter would probably never have been raised at all. Two years ago a measure entitled the Artillery Rifle Range Act was passed, which had been rendered necessary because of people obstructing the firing at ranges—at one range in particular—and power was taken to provide bye-laws for the safety of the public. This was the first occasion on which action was being taken under this Act. Certain bye-laws had been drawn up and advertised in the neighbourhood of the range previous to their being approved by the Board of Trade, and they had unfortunately aroused an agitation in the locality. The noble Lords had made out too strong a case. They said that most valuable and largely-frequented fishing ground was being rendered dangerous. But the range had existed for many years, and if it was so dangerous it would not have been so much frequented. Only one case had been mentioned in which anyone had been injured. It was, no doubt, deplorable that anyone should be wounded, but, owing to the inevitable risk of ricochet shots, it was almost impossible to make a range absolutely safe. Objection was taken to the buoys, but he could not see what injury could be done by marking out the zone of danger in this way. The navigation would not be interfered with, and if fishermen chose to fish within the line marked out by the buoys, they could do so at their own risk. Last year 7,000 regular troops used the range for individual firing, and 2,500 for field practice, besides 3,000 at the annual prize meetings. He could assure the noble Lord who had brought forward this matter that the Secretary of State would give every attention to the objections raised in the locality to the bye-laws, which had yet to be approved by the Board of Trade. If it was possible to find another range, the Government would do so; and, if not, they would do their best to make the existing range safe. No butt would be a perfect safeguard, for no butt could stop a ricochet. Every attention would be paid to the objections raised, both to the bye-lays and to the range; but while these objections were still coming in it was obviously impossible for him to make any more distinct promise.

The Marquess of Exeter

House adjourned at a quarter past Seven o'clock, till To-morrow a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 26th July, 1888.

MINUTES.] — SELECT COMMITTEE — *Report* — Police and Sanitary Regulations [No. 300].
PUBLIC BILLS—*First Reading*—Pluralities Acts Amendment Act, 1885, Amendment * [349].
Considered as amended — Local Government (England and Wales) [338], *debate adjourned*.

QUESTIONS.

—o—

LAND PURCHASE (IRELAND) ACT, 1885 (LORD ASHBOURNE'S)—RESULTS.

MR. W. P. SINCLAIR (Falkirk, &c.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any advances for the purchase of their holdings under Lord Ashbourne's Land Purchase Act have been made to tenants in districts which were disturbed at the time of such advances being sanctioned; whether, since these advances have been made, the work of the police in maintaining order has been rendered less difficult; whether he has information to show that in such districts an increased

desire is now evinced among those who have not availed themselves yet of the benefits of the Act to do so; and, further, if the proportion of arrears still outstanding in such districts is on as low a scale proportionately as over the rest of Ireland?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I find that it is the case that in disturbed districts where advances have been made to tenants under the Land Purchase Act, these districts have shown improvement, and a strong disinclination is evinced by the new owners to join Secret Societies or take part in any agitation. The Land Purchase Commissioners also report that in all districts where sales were effected in the earlier stages of the Act there is an increasing desire to purchase. The reply to the concluding portion of the Question appears to be in the affirmative.

MR. MAURICE HEALY (Cork) asked, on whose authority the right hon. Gentleman made these statements; and whether he had sought for information from the Land Commissioners or the police?

MR. A. J. BALFOUR: I have sought information from all the sources from which I thought it could be obtained.

MR. MAURICE HEALY wished to know whether they were to understand that the right hon. Gentleman's information was based on any statement made to him by the Land Commissioners?

MR. A. J. BALFOUR: The opinion of the Land Commission, among other opinions, is worthy of consideration; but I do not propose to state to the House, in answer to a Question, the sources from which I derive my information.

MR. W. REDMOND (Fermanagh, N.) inquired, whether it was not the fact that the tenants who purchased their holdings under Lord Ashbourne's Act were now complaining that the prices which they paid were altogether too high?

MR. A. J. BALFOUR: I have not heard anything of the kind. I have received no information to that effect.

MR. W. P. SINCLAIR asked, whether the right hon. Gentleman was able now to state what the intentions of the Government were with regard to providing further funds for enabling the Commissioners under the Land Purchase Act to carry on the work which had proved so successful in the past?

MR. MAURICE HEALY: As the answer to this Question is apparently to be made the basis for further legislation on the question of land purchase, I would ask the right hon. Gentleman whether he will lay upon the Table a Return in support of the views which he has put forward in regard to these districts?

MR. A. J. BALFOUR: The hon. Gentleman is perfectly aware that we cannot support by Returns all the views which we may put forward in this House; that is not, from the nature of the case, possible. I have not given my answer as the basis of further legislation. When we propose further legislation to the House—which, I may say in answer to my hon. Friend, it is the intention of the Government to do in the course of the Session—I do not say before the Recess, but before the Prorogation—when I bring forward the Bill, I shall state the grounds upon which we shall ask the House to accept our proposals.

THE MAGISTRACY (IRELAND)—COUNTY CESS COLLECTORS, CO. ANTRIM.

MR. W. P. SINCLAIR (Falkirk, &c.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been drawn to the appointment recently made by the Grand Jury of County Antrim of a county cess collector for the Barony of Lower Toome; whether the gentleman appointed, Mr. Richard Davidson, had offered to collect these rates at 9*d.* in the £1, while the unsuccessful candidate, Mr. John Hill, was prepared to collect the same rates at 4½*d.* in the £1; whether it is the fact that Mr. Hill had been the sub-collector for some years for the rates in this barony, and if any complaint was ever made against him as to the manner in which his work was done, or if any objection was raised as to the character of the security now offered on his behalf; whether the collector now appointed holds his position for one year only, or for any specially defined time; and, if he will urge upon the Grand Jury the duty of carefully considering, in the interests of the ratepayers, the rate of poundage paid to collectors appointed?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have

no official knowledge of the matters referred to in the Question, inasmuch as the Government have no control over the actions, whether administrative or judicial, of Grand Juries. I, however, caused the Question to be brought under the notice of the Secretary to the Grand Jury in case they desired to make any observations. He informed me that the Grand Jury were discharged several days ago; that Mr. Hill held no appointment under them, but a private position under their collector; also that the collectors of cess hold their position from one Assize to the next only, and that the Grand Jury have appointed a Committee to consider what rate of remuneration should, in future, be given to cess collectors, the Committee to report at next Assizes. I further understand that, in considering the applications of Messrs. Dawson and Hill for appointment, the question of poundage rate did not arise, inasmuch as the then existing rate of 9*d.* had been fixed for some years past, in accordance with the recommendation made by a former Committee of the Grand Jury which inquired into the matter.

MR. W. P. SINCLAIR desired to ask whether it was not a fact that the gentleman who was appointed was appointed at the rate of 9*d.* in the £1 to collect the cess; whereas the gentleman who was not appointed had offered to collect it at 4½*d.* in the £1?

MR. A. J. BALFOUR said, he was afraid he could not answer that Question without Notice; but if the hon. Gentleman wished it he would put a further Question to the Secretary of the Grand Jury on the matter.

MR. W. P. SINCLAIR pointed out that Notice of this Question was comprised in the Notice on the Paper.

MR. A. J. BALFOUR supposed then that the Grand Jury did not think it necessary to give him the information. He had no control over that Body.

THE LORD MAYOR of DUBLIN (Mr. SEXTON) (Belfast, W.) asked the Solicitor General for Ireland, whether the accounts of the Grand Juries in Ireland were not audited by a public auditor; and if it was not in the power of the auditor to surcharge the Grand Jury in such a case as this, where they corruptly paid double the necessary sum to an official; and also whether it was not in the power of the Judges at Assize to disallow these over charges?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) said, it was not the function of the auditor to go behind the appointments made made by the Grand Jury.

MR. SEXTON asked, was it not a fact that in the case of Municipal Bodies the Local Government Board claimed the power of surcharging under similar circumstances?

MR. MADDEN said, that was a different case altogether. The auditor must go on the basis that this is a proper and legal appointment, and he could not possibly go behind the action of the Grand Jury in that respect.

MR. W. P. SINCLAIR said, that amongst the papers which had been sent in to him since he put this Question was the actual tender made to collect the cess at the rate of 4½*d.* in the £1, which he now held in his hand.

IMPERIAL DEFENCE — BERMUDA — CABLE COMMUNICATION — TERMINABLE ANNUITIES.

SIR EDWARD WATKIN (Hythe) asked Mr. Chancellor of the Exchequer, Why, in such cases as the laying down of a telegraphic cable between Halifax and the great Atlantic arsenal, port, and depôt of Bermuda, and in other similarly urgent cases of essential necessity, the Government do not act upon the recommendation of the late Select Committee on Harbours, and raise the money needed by the issue of Terminable Annuities having 99 years to run?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square), in reply, said, he could not conceive any course that would be more contrary to sound finance than to borrow on Annuities having 99 years to run for a submarine cable between Halifax and Bermuda, the life of which would be infinitely shorter than that of the loan.

LAW AND JUSTICE — STRATFORD PETTY SESSIONS — ILLEGAL SENTENCE.

MR. BRADLAUGH (Northampton) asked the Secretary of State for the Home Department, Whether he is aware that the Justices at Stratford Petty Ses-

sions on Friday, July 13, are reported to have sentenced Charles Edwards, aged 10, to be sent to a reformatory school for six years; and, whether, inasmuch as the 29 & 30 *Vict.* c. 117, s. 14, limits the power of Justices in such cases to not more than five years, he will take any action in the matter?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.), in reply, said, the sentence passed on Charles Edwards was in excess of the statutory power, and was wholly void; and he had, therefore, been compelled reluctantly to order the boy's discharge.

ADMIRALTY—H.M.S. "SULTAN"—THE BRITISH STEAMER "NITH"—COMPENSATION.

MR. LEATHAM BRIGHT (Stoke-upon-Trent) asked the Under Secretary of State for Foreign Affairs, Whether the Government will make such representations to the French Government as will ensure some compensation being given to the crew of the *Nith*, run down in the Tagus on April 7, 1884; whether the crew have, by this collision, lost all their effects; and, whether it would be possible to persuade the French Government to act in the same generous spirit that actuated the Government in making compensation for the damage done by H.M.S. *Sultan*, under similar circumstances?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The facts of the case are well-known to the Secretary of State, and were brought to his notice by the owners of the *Nith* about six months ago. They are as stated in a Question to the First Lord of the Admiralty on Monday last. It was explained to the owners that there is no ground for diplomatic interference in the case, which we believe to have been decided in the Court of Appeal at Rouen according to law. It would not be proper to ask the French Government to make voluntary compensation to the owners of the *Nith*, as Her Majesty's Government made a compassionate grant to the sufferers by the accident in the Tagus referred to, seeing that in the present case the ship which caused the damage was the property, not of the State, but of a private Company. The hon. Member will see that Her Majesty's Government could not ask Parliament to make a grant on account of the loss of a French vessel through the act of a British Steamship Company which had successfully defended itself in an action at law.

NAVY—THE ROYAL NAVAL RESERVE.

MR. LEATHAM BRIGHT (Stoke-upon-Trent) asked the First Lord of the Admiralty, Whether it is the custom of the Government to take any note of charges of misconduct made against individuals holding commissions in the Naval Reserve; and, whether an individual against whom such charges have been made, to the knowledge of the Government, can still in times of emergency obtain a command in Her Majesty's Navy?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): Up to the present time I am not aware that any charges of misconduct have been brought against any officers of the Royal Naval Reserve. The Admiralty are empowered, under the Regulations, to dismiss from the Service any officer against whom a charge derogatory to his position as such has been substantiated. This punishment, if incurred, would debar him from employment in Her Majesty's Navy, either in command or otherwise.

BANKRUPTCY ACT — WEST LONDON COMMERCIAL BANK IN LIQUIDATION.

MR. WHITMORE (Chelsea) asked Mr. Solicitor General, Whether he is aware that no dividend has been paid to the creditors of the West London Commercial Bank since March 12 last; whether it is a fact that the official liquidator has been for some time in a position to pay a second dividend of 4*s.* 6*d.* in the £1; and, whether he will bring pressure to bear upon the liquidator to pay such second dividend at once, and further dividends as quickly as may be possible?

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth), in reply, said, that since March last a dividend of 8*s.* in the £1 had been paid to the creditors of the bank, and considerable progress had been made in the winding up. In the course of a few days a further dividend would be paid, which, with that already paid, would make a total of 13*s.* in the

£1. Every diligence was being used by the liquidator in the matter.

CATTLE DISEASES ACTS (IRELAND)—PERSONS CHARGED WITH OFFENCES.

MR. W. J. CORBET (Wicklow, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will grant a Return of the number of persons charged with offences under the Cattle Diseases Acts during the 12 months ending July 31, 1888, showing the names of the persons charged; the nature of the alleged offences; the counties in which they occurred; the decision of the Court in each case; and the names of the magistrates who adjudicated thereon?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, he found that the preparation of a Return of the nature suggested would involve obtaining Reports from each of upwards of 600 Petty Sessions Clerks, while, apparently, the object of the Return was mainly to further an attack which was recently made on the decisions come to by a particular magistrate in the execution of a particular discretion conferred by statute. He, therefore, did not consider it a Return which the Government could consent to give.

SCIENCE AND ART DEPARTMENT—LACE MAKING IN IRELAND.

MR. JUSTIN M'CARTHY (Londonderry City) asked the Secretary to the Treasury, Whether Mr. Alan Cole's lectures on design in respect of Irish lace making, and his inspections of Art classes at lace making centres in Ireland, as reported in recent Annual Reports of the Department of Science and Art, have been permanently discontinued; whether the Irish Government and the Local Committees of the lace making schools and convents in Ireland have urged that the lectures and inspections should be continued; and, whether directions will be given for the continuance of Mr. Cole's lectures and inspections?

THE SECRETARY (Mr. JACKSON) (Leeds, N.), in reply, said, that, as the hon. Gentleman was aware, a lady Inspectress had been appointed, and it was believed that it would be unnecessary, therefore, to continue the inspection by Mr. A. Cole. He thought, however, that arrangements might be made under which Mr. Cole should continue to give some lectures; though the Treasury would think it necessary to limit the number.

CLERKS OF SESSION BILL—SHERIFF DEPUTE.

GENERAL SIR GEORGE BALFOUR (Kincardine) asked the Lord Advocate, Whether he will agree to the insertion of a clause into the Clerks of Session Bill providing for the appointment of a Depute by the Principal Sheriff Clerk, subject to the concurrence of the Lord Advocate, with a salary and pension payable by the Exchequer; and providing, further, that when a vacancy occurs in the Principal Clerkship a Depute shall be promoted to the office?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The matter referred to in the hon. and gallant Member's Question is one which is engaging my attention already; but I do not think it could be suitably dealt with in the Bill he refers to, which relates solely to the Court of Session.

ISLAND OF JAVA — COMPULSORY MILITARY SERVICE IN THE AUXILIARY FORCE.

MR. ARTHUR O'CONNOR (Donegal, E.) asked the Under Secretary of State for Foreign Affairs, Whether a Petition, signed by British residents, bankers, and merchants in Java has been forwarded to the Secretary of State, setting forth the hardships to which they are exposed in the shape of compulsory military service in the Auxiliary Force called the Schuttery; whether all able-bodied Europeans and Eurasians in Java are enrolled in this Force; whether those physically incapacitated are taxed in lieu of service; whether those enrolled have to submit to be drilled by barefooted natives; whether non-attendance at drill are punished by fine and imprisonment; whether the United States Government have interfered to protect American citizens; and, whether the Government intend to do anything in the matter?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): I have already answered more than one similar Question. Ac-

cording to the information in the possession of Her Majesty's Government the first, second, and fourth Questions must be answered in the affirmative; as to the third and the fifth we have no information. As I have before stated, there is nothing in the Treaties between this country and the Netherlands to exempt British subjects resident in Dutch Colonies from service in the Militia.

MR. ARTHUR O'CONNOR further asked, if it were a fact that the Europeans in Java only formed about 10 per cent of the population; that though of these only a very small proportion were British subjects, yet they were practically the chief sources of revenue; whether they were subject to a ridiculous and vexatious system of fines; and whether they had to provide their own uniform?

SIR JAMES FERGUSSON said, he had no information about these particulars. Whatever their numbers were, British citizens living in a Dutch Colony must submit to the same obligations as the rest of the population.

CHELSEA HOSPITAL—GEORGE WILLIAMS, A PENSIONER—ARREARS OF GOOD CONDUCT PAY.

MR. ARTHUR O'CONNOR (Donegal, E.) asked Mr. Chancellor of the Exchequer, If he has yet been able to arrive at a satisfactory decision with regard to the arrears of pension due to pensioner Williams?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): It has be arranged that, pensioner Williams having been officially informed that he would receive arrears of pension amounting to £30 18*s.* 4*d.*, this sum shall be paid to him. It is the circumstance that notice was officially given to this pensioner that his arrears would be paid, though without the sanction of the Treasury, which forms the special feature in his case; and it, therefore, affords no precedent for the admission of similar claims in other instances.

EDUCATION DEPARTMENT—LETTER TO THE CLERK OF THE SCHOOL BOARD FOR LONDON.

MR. ARTHUR O'CONNOR (Donegal, E.) asked the Vice President of the Committee of Council on Education, Whether the following letter, dated January 27, 1888, from the Education Department to the Clerk of the School Board for London, was written with his knowledge and approval:—

"Sir,

Adverting to your letter of the 24th inst., P.M. $\frac{1}{8}\frac{2}{8}\frac{4}{}$, I am directed to state that My Lords, in conducting the business of the Education Department, must act upon the ordinary rule that they notice only communications which are approved by the School Board. My Lords have no knowledge of, or concern with, the arrangements by which the School Board delegate their authority to Committees, nor can the Department accept the office of determining whether a Committee is or is not authorized to make any particular communication.

If the Committee is acting within their authority it is the School Board who direct a letter to be written; if the Committee exceeds its authority the Communication is futile, and ought not to be answered.

It is for the Committee to take upon themselves the responsibility of stating that the School Board have authorized or directed the communication to be made.

I have the honour to be, Sir,
Your obedient Servant,
P. Cumin;"

whether it was with his knowledge and approval that the following letter, dated July 4, was also sent from the Education Department to the Clerk to the London School Board:—

"Sir,

Referring to your letter, S.M. $\frac{1}{8}\frac{3}{8}\frac{2}{8}\frac{4}{}$, dated June 23, 1888, in which it is stated that the letter dated June 19 has been laid before the Board, and that you are directed by the School Board to forward to this Department a statement of ———, I am to point out that at the meeting of the School Board, on June 21, the Board negatived a Resolution to allow the letter of the Department, dated June 19, to be read, and therefore it would appear that substantially that letter was not laid before the School Board.

With reference to the statement that you were directed by the School Board to forward the statement of ———, I am to point out that on June 21 the letter of this Department, dated the 19th, was referred to the Schoo Management Committee for their consideration and report. On June 23 it is alleged that you received the instruction of the School Board to reply. As the School Board held no meeting between June 21 and June 23, My Lords are at a loss to understand how any instruction could have been given by the Board until a meeting was held at some later period.

I am to request an explanation, and at the same time to express the desire of My Lords that this letter may be brought specifically to the notice of the School Board, so that they may have an opportunity of discussing it.

(Signed) P. Cumin;"

and, whether the Education Department

claims to inquire into, or to regulate the internal procedure of, the School Board for London in the transaction of its business, and in the proper delegation of its authority to its duly constituted Committees; and, if so, to what extent, or by virtue of what power conferred upon it by the Education Acts, or by any other statute, or otherwise; if so, why was the letter of January 27 written to the Board; if not, why was the letter of July 4 written to the Board?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford): The object of the letter dated January 27, 1888, was to inform the Board that any official letters addressed to the Department must be written by the authority of the School Board, and not merely of a Committee. This Rule is now invariably acted upon. As to the letter of July 4, its object was to obtain some explanation of the fact that, while on one hand the Official Minutes of the School Board—which are, and always have been, regularly furnished to the Department—showed that the Board had not authorized any answer to the Department's letter of June 19, on the other hand, the School Board's letter of the 23rd declared that it had been written by the authority of the Board. The Department have since received an explanation from the School Board admitting that the letter of the 23rd was sent without the Board's authority, which, however, was given by them on June 28. I need hardly say that the Education Department make no such claim as that stated in the last paragraph of the Question.

EVICTIONS (IRELAND)—THE VANDELEUR EVICTIONS—MR. CECIL ROCHE, R.M.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, at the Vandeleur evictions last week, when Patrick, Thomas, Ellen, and Mary Cleary issued from a cabin to which entrance had been effected by the Emergency men, Mr. Cecil Roche, R.M., ordered the police to bring the above persons before him, seated himself on a stone wall, and committed them to prison; and, what are the Rules in force with respect to the times at, and places in, which Resident Magistrates have to perform their judicial functions?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am informed that the facts are as stated in the Question, with the somewhat important exception that the women were not, as alleged, committed to prison. The duty of a magistrate requires him to deal on the spot with breaches of the peace committed in his presence.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, in what capacity Mr. Cecil Roche was acting in these evictions; and, also, whether it was not the fact, as reported, that on seeing a man looking out of a window in one of the houses that gentleman said—"I see you, you rascal; you will surely have to go to gaol;" and, whether Mr. Cecil Roche made that observation in his capacity of a magistrate?

MR. A. J. BALFOUR said, he had no grounds for believing the allegations that had been made against the magistrate.

MR. MAURICE HEALY (Cork) asked, what order Mr. Cecil Roche had made on the occasion in question?

MR. A. J. BALFOUR said, he did not know.

Mr. J. E. ELLIS asked, whether Mr. Cecil Roche was not in charge of the police on the occasion referred to?

MR. A. J. BALFOUR said, that he must ask the hon. Member to give Notice of his Question.

ARMS (IRELAND) ACT—CONVICTION OF JAMES LEE, ABBEYFEALE PETTY SESSIONS.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, at the Petty Sessions at Abbeyfeale, on July 18, an Emergency man named James Lee, employed by Lord Guillamore, was convicted of presenting a loaded revolver at certain persons, and of being drunk whilst in the possession of loaded fire-arms; whether, on the same occasion, an Emergency man named Mullinock was also convicted of being drunk whilst in the possession of loaded fire-arms; whether the Resident Magistrate remarked that these men came from the Property Defence Association, and on the recommendation of their employer obtained licences to carry arms, which they abused; whether the

licences of these men have been revoked; and, whether the Government will give such instructions with respect to licences for fire-arms as will prevent such cases in the future?

MR. W. ABRAHAM (Limerick, W.) said, before the right hon. Gentleman answered that Question, he should ask the permission of the House to read a passage from a letter which he had received from the Rev. William Casey, the priest at Abbeyfeale.

MR. SPEAKER: Order, order! That is not in Order on the Question.

MR. W. ABRAHAM then asked the Chief Secretary, whether he was aware that there were eight or 10 of these Emergency men at Abbeyfeale; and whether the people of the district were not in terror of their lives of them; and whether, as a fact, no interference whatever had been made by the people of Abbeyfeale with regard to these Emergency men?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, he was afraid he could not answer the Question. With regard to the Question on the Paper, he was informed that the facts were substantially as stated in the first two paragraphs. As regarded the third paragraph, he was informed that neither of the men was employed by the Property Defence Association. The licences of these two men were about to be revoked; and every care has been and will be taken by those responsible to secure, as far as possible, that licences are issued to proper persons only.

MR. W. ABRAHAM asked, if the right hon. Gentleman denied that evidence was given to satisfy the magistrate that these men did belong to the Property Defence Association?

MR. A. J. BALFOUR said, he was informed that they were not.

MR. W. ABRAHAM: From whom did the right hon. Gentleman get that information?

MR. SPEAKER: Order, order!

MR. MAURICE HEALY (Cork): Will the right hon. Gentleman say whom they were employed by, for there are two cognate Associations, each of which is always repudiating the acts of the other?

MR. A. J. BALFOUR: I do not know that they were employed by any Association.

PRISONS (IRELAND)—HEALTH OF MR. JOHN DILLON, M.P.

MR. MACNEILL (Donegal, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true, as stated in a daily paper, that the Chief Secretary for Ireland is supplied with information, by telegraph, at stated periods, regarding the health of Mr. John Dillon, who is now in prison; and whether the right hon. Gentleman would have any objection to lay these bulletins upon the Table of the House?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Of course, the health of the hon. Member for East Mayo has been carefully looked after since his committal to prison. But there is no truth in the newspaper statement.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, if it was the intention of the Irish Government to appear by counsel before the Court of Exchequer in Ireland to oppose the making absolute of the conditional order for a writ of *habeas corpus* in the case of Mr. John Dillon's imprisonment.

MR. A. J. BALFOUR said, this was a matter which was left entirely to the discretion of the Attorney General for Ireland. As he understood, the Chief Baron considered that only one point had been raised by the affidavit which required to be argued.

INDIA—ARMY MEDICAL SERVICE EXAMINATION.

DR. TANNER (Cork Co., Mid) asked the Under Secretary of State for India, If it is the case that the course of special instruction and ultimate examination hitherto required and passed by officers of the Indian Army Medical Service is to be abolished; whether the statement of the officer at the head of the Medical Service concerning the proposed change in the Bengal Presidency, quoted by *The British Medical Journal*, July 21, 1888, is correct—namely, that it is no longer necessary; what reasons are given for such change by the Indian Government; and, whether it is intended to substitute any other course for that it is proposed to abolish?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): With regard to the first and second para-

graphs of the hon. Member's Question, I have to state that no such decision has been arrived at. The matter is still under the consideration of the Secretary of State and the Government of India. In answer to the third paragraph, I have to state that the reason given in favour of change is that the special instruction can be given better and at less expense in India. In answer to the fourth paragraph, I have to state that if the present course were abolished a course of special instruction would be given in India.

NATIONAL EDUCATION (IRELAND)—FEMALE TEACHERS.

MR. HAYDEN (Leitrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether there is any Rule of the Board of National Education in Ireland under which a female teacher is prohibited from living in the same house with her father or husband, if the dwelling happens to be a licensed premises?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The National Education Commissioners inform me that there is a fixed Rule prohibiting teachers from keeping, or living in, public-houses, or houses for the sale of spirituous liquors.

LAW AND JUSTICE (IRELAND)—THE JURY SYSTEM—ROMAN CATHOLIC SPECIAL JURORS, QUEEN'S COUNTY.

MR. W. A. MACDONALD (Queen's Co., Ossory) asked Mr. Solicitor General for Ireland, Whether all the Roman Catholic special jurors in Queen's County have recently been ordered to stand aside without cause shown, and for no other apparent reason than that they are Roman Catholics; whether of the entire population of the county 88 per cent are Roman Catholics; whether he is aware that a strong feeling of indignation exists among the special jurors; whether he is aware that a respectful but firm protest was presented on the 12th instant to Mr. Justice Johnson, the going Judge of Assize; whether the learned Judge told the Memorialists that the thing was "no business of his;" whether he will say whose business it is; and, whether he will take steps to prevent the exclusion of Roman Catholic jurors for the future?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): I am informed that the statements in the first and third paragraphs of the Question are entirely without foundation. A protest was presented to the going Judge of Assize, with the result stated in the Question; but the signatories to this protest were entirely mistaken in supposing that they, or any other jurors, were ordered to stand aside on account of their religion. No inquiries whatever were made as to the religion of jurors, nor is there any foundation for the suggestion that jurors were excluded because they were Roman Catholics. In reply to the sixth paragraph of the Question, I have to say that the Crown Solicitor's action as to jurors is regulated by a Code of Rules which was settled by the then Attorney General in 1867, and which has been since then adopted by his Successors in Office, and that the Crown Solicitors are responsible to the Attorney General for the observance of these Rules.

MR. J. E. REDMOND (Wexford, N.) asked whether, as a matter of fact, all the Catholic jurors, as they were called, were ordered to stand aside by the Crown in the case of a change of venue?

MR. MADDEN said, that he had no information on the point.

MR. R. T. REID (Dumfries, &c.) asked, if the Rules on the matter would be presented to the House?

MR. MADDEN replied that if the hon. Gentleman wished for the Rules on this particular subject he would have no objection to lay them on the Table.

MR. W. A. MACDONALD said, that in consequence of the unsatisfactory answer of the hon. and learned Gentleman, he begged to give Notice that he should draw attention to this subject on the Vote on Account for the Civil Service Estimates.

MR. CHANCE (Kilkenny, S.) asked, whether the hon. and learned Gentleman was in a position to state how many Roman Catholic jurors were summoned on these juries, and how many were ordered to stand aside?

MR. MADDEN: Cetainly not, because no inquiry was made as to their religion.

MR. MAURICE HEALY (Cork) asked, whether the hon. and learned Gentleman would grant a Return giving the information?

MR. MADDEN: No, Sir.

LAW AND JUSTICE (IRELAND)—THE JURY SYSTEM—WICKLOW ASSIZES.

MR. W. J. CORBET (Wicklow, E.), who had the following Question on the Paper:—To ask the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that at the last Assizes held at Wicklow all Catholic jurors were excluded from the jury box in capital cases by the action of the Crown; and, whether any steps can be taken to prevent a recurrence of such exclusion?—asked, on a point of Order, whether the phrase "jury packing" was not an ordinary term? The last paragraph in the Question had been altered by the phrase "jury packing" being struck out.

MR. SPEAKER: If I recollect aright, the term in which the hon. Gentleman used the expression was invidious. There was something besides these words if I recollect aright; but I am speaking from memory.

MR. W. J. CORBET: I should really wish to know whether the terms of my Question put on the Paper were out of Order? I have not a copy of the Question with me; but, as well as I remember, the exact words were "whether the system commonly called jury packing prevailed?"

MR. SPEAKER: If I recollect aright, the term used by the hon. Gentleman was invidious. I am speaking from memory, and the words were whether the system commonly called jury-packing was habitually enforced in the county? I thought that expression ought not to appear on the Paper, and I think so now.

MR. W. J. CORBET then asked the Question as it stood on the Paper.

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have no knowledge of the religious denominations of jurors at last Wicklow Assizes.

MR. W. REDMOND (Fermanagh, N.): Arising out of this Question, I wish to ask whether it is not an extraordinary coincidence that in almost every part of Ireland the Catholics are excluded from the juries?

MR. MAURICE HEALY (Cork): May I ask the right hon. Gentleman——

MR. SPEAKER: Order, order! I must say it seems to me that the practice of putting supplemental Questions is being greatly abused to-day.

MR. W. REDMOND: Might I be allowed to say, Sir——

MR. SPEAKER: Order, order! Mr. Maurice Healy.

MR. MAURICE HEALY: What I wish to ask the right hon. Gentleman, in reference to the ignorance of the religion of the jury, is this—whether he is aware that the present Justice Holmes, when Irish Attorney General, was in a position to state to the Court of Queen's Bench what the relative religious beliefs of the jury panel was as a ground for not changing the venue from Omagh?

MR. A. J. BALFOUR: That Question does not arise out of the Question on the Paper; and, in the next place, it is not a Question I can answer.

LAW AND JUSTICE—ACCOMMODATION FOR PRISONERS AWAITING TRIAL—MANCHESTER CITY COURT.

MR. S. SMITH (Flintshire) asked the Secretary of State to the Home Department, Whether it is correctly reported that in a Report from one of the Inspectors of Prisons there occurs the following description regarding the want of accommodation for prisoners awaiting trial at the Manchester City Court:—

> "In one of these rooms I saw 37 men huddled together, some sitting, others standing or leaning against the iron bars, looking out, talking and muttering words to one another that sounded very like oaths. In the middle of this crowd was a soldier in uniform, standing as far from the others as he could. In the women's room there were 18 associated. As many as 40 or 50 men, and from 20 to 30 women, occupy these rooms at a time;

and, whether any steps have been taken to remedy this state of things?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.), in reply, said, the Report was correctly quoted. Soon after the Report was made he placed himself in communication with the Mayor of Manchester, and plans prepared by the city serveyor were now under the consideration of the authorities. He had further written to the Mayor suggesting that, pending the completion of the alterations, every endeavour should be made to remedy, by careful management, the state of things to which attention had been drawn.

LABOURERS' ACTS (IRELAND)—"LAND LEAGUE HUT" AT MACROOM.

MR. MACARTNEY (Antrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Guardians of the Macroom District have recently commenced to build a cottage, under the Labourers' Acts (Ireland), on a farm at Glownaglough, near Coachford, County Cork, formerly occupied by Denis Gleeson; whether, in order to recover the land, Denis Gleeson's landlord forgave £200 of arrears, paid a debt of £17, and gave Gleeson £32 10*s.*, as well as his stock, to enable him to emigrate to America; whether, after Gleeson's return, he was supported by the local branch of the National League in a "Land League hut;" whether frequent outrages have taken place, in consequence of which the landlord has been unable to let the farm, and two policemen have been engaged on protection duty on it; whether, in December, 1887, Denis Gleeson was sentenced to 25 years' penal servitude for manslaughter of a man named Hayes; whether Mrs. Gleeson has been bound over several times to keep the peace at the Court at Coachford; whether she is the proposed occupant of the cottage now being erected; and, whether, since she has no children old enough to do agricultural work, and considering the agitation and disturbance caused by her presence, the Local Government Board in Ireland will take steps to secure the ratepayers from a misuse of the machinery of the Labourers' Acts?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The facts are all as stated by my hon. Friend. In my opinion, those facts show a gross abuse of the powers given under the Labourers' Act; and I greatly regret the Government have no power to interfere.

DR. TANNER (Cork Co., Mid): Is he still in prison.

MR. A. J. BALFOUR: As he was sentenced in 1887 to 25 years' penal servitude, I should think he is.

DR. TANNER: Is it not a fact that the Gleesons' rent was nearly double the valuation; that he spent a considerable sum of money in improving his land; and that, in spite of these facts, he was driven cruelly from his farm and thrown on the roadside?

MR. CHANCE (Kilkenny, S.) inquired, whether there had been any abuse by Local Authorities of the powers under the Act in which there was not an appeal to the Privy Council?

MR. MAURICE HEALY (Cork): And was not the building of this cottage actually approved by the Local Government Board Inspector?

MR. A. J. BALFOUR: Yes; but the question is not as to the building of the cottage, but as to the use which was made of it afterwards.

MR. MAURICE HEALY: It has not been built yet.

THE MAGISTRACY (IRELAND)—KILLYBEGS PETTY SESSIONS DISTRICT.

MR. MAC NEILL (Donegal, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in the Killybegs Petty Sessions District of the County of Donegal, there is not one Catholic magistrate, although more than 90 per cent of the population of the district are Roman Catholics; and, whether Her Majesty's Government will take steps to remedy this grievance?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have no knowledge of the religious denominations of the magistrates in the Petty Sessions district mentioned. But as has already been explained in reply to previous Questions on the subject of the religion of magistrates, the Lord Chancellor of Ireland is always anxious to consider the names of duly qualified Roman Catholics when properly submitted to him for appointment to the Commission of the Peace.

MR. MAC NEILL: Will the right hon. Gentleman deny that the statement contained in my Question is true—that not one of the magistrates upon the Bench at Killybegs is a Catholic? Will he inquire whether that statement is true?

MR. A. J. BALFOUR: I will consider the matter. Of course, it is no business of mine. I will consider whether I will make any inquiry.

MR. MAC NEILL: Are not magistrates appointed by the Lord Chancellor on the recommendation of the Lord Lieutenant of the County? Can the Lord Chancellor appoint on the recommendation of the Lord Lieutenant of the County?

MR. A. J. BALFOUR: I am afraid I cannot answer the Question in detail. The account the hon. Member has given is sufficient to prove my statement, and I have nothing to add to it.

THE MAGISTRACY (IRELAND) — MR. BROWNLOW, J.P., COUNTY DOWN.

MR. CLANCY (Dublin Co., N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that Mr. Brownlow, land agent to the Lord Lieutenant, who presided at the Orange demonstration on His Excellency's demesne at Mountstewart, County Down, on the 12th instant, is a Justice of the Peace for the County of Down, and if he will state the date of his appointment to the Commission of the Peace; whether his attention has been directed to the speech of Mr. Brownlow on that occasion, as reported in *The Newtownards Chronicle* of the 14th instant, where Mr. Brownlow, referring to Home Rule, threatened that—

"Whoever may submit, the Orangemen of Ulster will stand together, and as our ancestors did of old we will if necessary do now;"

whether, as reported in that paper, he also, in introducing to the meeting Mr. Adolphus Vane-Tempest, a cousin of His Excellency the Lord Lieutenant, made use of the following words:—

"They (the Orangemen) had His Excellency's best wishes. He could not be here himself, but he had done the next best thing and sent his cousin;"

whether this is the same Mr. Brownlow who was reported in *The Belfast Evening Telegraph* of April 12, 1887, to have said, at the laying of the foundation stone of an Orange Hall at Barnamaghery, County Down—

"That the time was rapidly approaching when the Irish Question would be transferred from the House of Commons to arbitrament in the field,"

and that the Orangemen should have their forces properly constituted; whether he will call the attention of the Lord Chancellor to the words spoken by this magistrate at these public meetings; and, whether any Government reporter was present at either of these meetings?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am sorry to say that this is one of a series of Questions which have been put down without sufficient Notice; and if the hon. Gentlemen who put them down will wait until a later day I will endeavour to obtain the necessary information. On this ground I cannot answer Questions 35, 37, 38, 41, 50, 52, 53, nor 54.

MR. CLANCY: I beg to say that I gave Notice of my Question on Tuesday; and I may add that this is not the first occasion on which I have called attention to this subject.

MR. A. J. BALFOUR: The Question may have been put down on Tuesday; but it is impossible to say that on Thursday I can have got the information.

MR. CLANCY: Perhaps I may be allowed to add——

MR. SPEAKER: Order, order!

MR. W. ABRAHAM (Limerick, W.): The second and third paragraphs of my Question (38) have not been answered.

MR. A. J. BALFOUR: It relates to those paragraphs that I am obliged to say that I have got no information.

MR. CHANCE (Kilkenny, S.): I wish to ask you, Mr. Speaker, on a point of Order, whether it is in Order to answer a series of other Questions when a reply to one only was asked for?

MR. SPEAKER: The Question is too trivial for me to answer.

EVICTIONS (IRELAND)—THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE.

MR. JORDAN (Clare, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that, in the Vandeleur evictions on Wednesday last, 18th instant, possession of the house of Michael Cleary, of Carrowdoty, was obtained by means of a "battering ram," and that the whole back side wall, 30 to 40 feet in length, was battered down; whether he is also aware, that in gaining possession of Cleary's house, and Pat Spellassy's and James Madigan's, of Carnaculla, on the 19th instant, the Sheriff, Mr. Croker, and his Emergency bailiffs tore down their furniture, threw it into the yard, and broke it into pieces; whether he has been informed that the Sheriff was remonstrated with at Spellassy's without effect; whether he will state the statute or authority warranting such destruction of tenants' scant chattels; and, whether, if further

evictions occur, he will take steps to prevent such recurrence?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Divisional Magistrate reports that access was obtained by a battering-ram because the tenants resisted with violence and threw boiling water, the house being strongly barricaded. The wall was battered down, as, owing to strong barricading and violent resistance, it had to be largely breached. All the houses were barricaded and prepared for resistance, and nearly all the furniture had been removed by the tenants. What was left was removed as carefully as possible by Captain Croker's men. The Divisional Magistrate does not know whether the Sheriff was remonstrated with; but he is aware that he always performs his difficult duties with great humanity and moderation.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): Is the right hon. Gentleman aware that, in some cases, the agent and the bailiffs have actually destroyed houses after the people have been put out; and I also wish to ask if the Irish Government are of opinion that the armed forces of the Crown should be engaged in such operations?

MR. A. J. BALFOUR: I am not aware whether that is the case or not. I may remind the House also that the Question is not one arising out of the original Question.

MR. JORDAN: The right hon. Gentleman has not answered the fourth paragraph of my Question.

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): Perhaps I may be allowed to say that, from the answers given to Questions of fact by my right hon. Friend, it appears to me what was done was done legally. The chattels were carefully removed, and the landlord was entitled to be put in clear possession of the house.

MR. JORDAN asked, whether it was really a fact that the chattels were removed carefully. He saw them with his own eyes thrown out on the road, and he personally remonstrated with the Sheriff for breaking the man's furniture.

MR. MADDEN asked for Notice of the Question.

MR. JORDAN: I beg to ask, Sir, for an answer, and permit me to say that I have these specific charges on the Paper; and it is most important to my constituents that they should be answered fairly and honourably.

MR. HUNTER (Aberdeen, N.) asked, whether the hon. and learned Gentleman would answer the question of law on the supposition that the facts stated by his hon. Friend were correct?

MR. MADDEN said, that would be a most inconvenient precedent. The question of fact had been clearly and distinctly answered by his right hon. Friend that there was no destruction of property. He answered the question of law, that what occurred was perfectly legal. If further information was wanted with respect to a question of fact, he must ask the hon. Member to put a Question on the Paper.

MR. W. REDMOND (Fermanagh, N.) asked, whether the hon. and learned Gentleman would state that the chattels were carefully removed, inasmuch as his hon. Friend had distinctly stated that he had seen them thrown out on the road? Who gave the right hon. Gentleman his information?

[No reply.]

EVICTIONS (IRELAND) — THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE.

MR. JORDAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention had been directed to the Resolution which appeared in *The Irish Times* and *Freeman's Journal* on Friday the 20th instant, signed by the Very Rev. M. Dinan, D.D., P.P., V.G., Kilrush, and 15 other priests, in whose parishes the Vandeleur property is situated, protesting against the insult alleged to be offered to them by their exclusion from the inner circle at the evictions on the Vandeleur Estate; whether he will state by what law, statute, or authority, these clergymen were so excluded; and, whether he will take steps, should there be any further evictions, to prevent a similar occurrence?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I understand that a Resolution of the nature indicated has appeared in the news-

papers. The ground upon which the Divisional Magistrate felt it his duty to refuse to permit the local Roman Catholic clergy to pass inside the cordon formed by the troops was, as I have already stated in reply to another Question, the fact of their having been (as they also admitted) the authors of the Plan of Campaign upon the estate; and at the commencement of the evictions some of their body have been seen to enter the church and set the bell tolling to assemble the people, notwithstanding that a Proclamation had been issued forbidding an assembly as likely to lead to disturbance. The Divisional Magistrate, in so refusing, acted under the general powers conferred by statute upon magistrates to secure the peaceable carrying out of the law. I cannot undertake to interfere with the administration of the law in the manner suggested in the concluding portion of the Question.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask the right hon. Gentleman if the clergy have solemnly and publicly denied that they had anything to do with the resistance offered; and, also, whether it was much more due to the presence of the clergy than to the armed forces of the Crown that the peace had been preserved among a population so dreadfully excited?

MR. A. J. BALFOUR: If the hon. Gentleman asks me my opinion—whether my opinion agrees with his—I have to say that it does not.

MR. JORDAN asked, whether it was not a matter of public notoriety that the priests had done their utmost to bring about a satisfactory settlement and to keep the peace; and that this attitude of theirs had been endorsed by the Local Government Inspector and the brother-in-law of Mr. Vandeleur?

MR. A. J. BALFOUR said, his information was that the clergy had not denied having anything to do with the Plan of Campain.

MR. SEXTON: They do deny it.

MR. A. J. BALFOUR: Well, my information is that they do not deny it. And if that is a fact, there is ample reason, in my opinion, for the action taken by the Divisional Magistrate.

MR. W. REDMOND (Fermanagh, N.): Does the right hon. Gentleman say that the priests have not done their very best? Does the right hon. Gentleman not know ——?

MR. SPEAKER: Order, order!

EVICTIONS (IRELAND)—THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE—MR. SHEEHY.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) (for Mr. SHEEHY) (Galway, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, What was the nature of the incitement to resistance on which the authorities considered themselves justified in excluding the hon. Member for South Galway from the immediate scene of evictions on the Vandeleur property; what was the occasion of such incitement; and, if any such incitement has been made by the hon. Member, why has not the Government taken proceedings under the provisions of the Criminal Law and Procedure (Ireland) Act?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): As reported in *The Freeman's Journal* the hon. Member made a speech at Kilrush on May 4 last, in which he said that—

"Mr. Dillon and he had come down to take a look over the battlefield—the Vandeleur Estate—on which the landlords were going to face them in West Clare, and to see if the popular forces were in good order. He had no fear of what the result would be. The Government appeared to imagine that they could support the Union by the same means by which they carried the Union; that they could drive the people of Clare to desperation, and then that Colonel Turner could dragoon them. Let them stick by the national organization and by the Plan of Campaign."

On July 21 he is reported in *The Times* to have said that—

"What he himself wanted the world to understand was that no man would go tamely out of his house; that no man would be so base or so cowardly as not to resist the forces that attempted to root him from his place."

THE NATIONAL RIFLE ASSOCIATION—REMOVAL TO RICHMOND PARK.

MR. KIMBER (Wandsworth) asked the First Commissioner of Works, Whether he will direct that the map of Richmond Park, now in the Tea Room, showing the site of the rifle ranges proposed by the National Rifle Association, may be exhibited on the hoarding in Westminster Hall, or other convenient place, for inspection by the public and

parties interested, together with a definite description of the proposed works and mode of dealing with the same, and the conditions which the Association offer to submit to as regards the use of the same, and as to the closing of the Park; whether he will give some limited time for the public and parties interested to show cause and state objections against the proposal before he reports to the Cabinet; whether, on reporting to the Cabinet, he will draw their attention to the question of whether there are or not, as alleged by H.R.H. the Commander-in-Chief, many other more appropriate places for the purpose; and, by what right the paddocks in Richmond Park are enclosed and the public excluded therefrom at all, and to what uses they are applied, and is there any reason why they should not be thrown into the Park proper, of which they form a part?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): I cannot agree with my hon. Friend that Westminster Hall would be a convenient place for exhibiting the map of Richmond Park now in the Tea Room, where, I think, it may well remain. I shall, with pleasure, lay on the Table of the House a copy of the latest application of the National Rifle Association. As to the second paragraph of the Question, I have already made a Report to the Cabinet; but I shall at any time be glad to confer with my hon. Friend upon the subject, and to send forward any further views he may have to suggest. As to the third paragraph, the question it raises is not one with which I have officially any right to interfere; and as to the last paragraph, the paddocks have always been reserved for the purpose of growing hay and roots for the use of the deer, and a discretion to keep them so enclosed is left to me by the Parks Regulation Act, 1873. I do not think it would be desirable to make any change in that respect at present.

THE LATE MR. MANDEVILLE—PROCEEDINGS BEFORE THE CORONER—DR. MACCABE.

MR. JAMES STUART (Shoreditch, Hoxton) asked the Chief Secretary to the Lord Lieutenant of Ireland, Is the Dr. MacCabe at present attending the inquest at Mitchelstown the same who fills the office of Medical Commissioner of the Local Government Board; and, if so, why was he sent to examine the political prisoners in Tullamore Gaol; whether he has had his attention directed to the recommendation of the Royal Commission on Prisons, Ireland, 1883-4, in which they advise an improved diet for prisoners, and state—

> "It should always be borne in mind that the medical officer of a prison, when he sees fit, may alter or add to the diet of any prisoner whose health seems to require attention;"

whether this recommendation was adopted; and, whether a Circular was issued by Dr. MacCabe, while a member of the Prisons Board, to the medical officers of Irish Prisons, requesting them to report in favour of the old scale of diet, which the Royal Commission had unanimously condemned?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Dr. MacCabe now fills the office of Medical Commissioner of the Local Government Board. When he visited Tullamore, he was medical member of the Prison Board. The recommendation of the Royal Commission has been adopted. I need hardly add that no such Circular as that alluded to was ever issued.

PIERS AND HARBOURS (IRELAND)—BALLYCOTTON PIER—REPRESENTATION FROM THE GRAND JURY OF CORK.

DR. TANNER (Cork Co., Mid) asked the Secretary to the Treasury, Whether any communication has been received by the Irish Board of Works from the Grand Jury of the County of Cork, in reply to the communication sent by the Board of Works on the 20th instant to that Body; what was the reply; and, whether it is a fact that several gentlemen on the Grand Jury, who had personally examined the structure in question, expressed their unqualified condemnation thereof, and approved the judgment and professional ability of Mr. Kirby, M.A., C.E., the surveyor for the County of Cork?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): I have answered several Questions relating to this harbour and pier. There appears to be a conflict of opinion—[Dr. TANNER: Hear, hear!]—between certain members of the Grand Jury and the Board of Works of Ireland. I have no reason to doubt the

correctness of the information which has been supplied to me previously; but I have asked for a special Report.

DR. TANNER: Is it not a fact that the Grand Jury of the county of Cork is exclusively composed of the most ultra Tories?

MR. JACKSON: I have no information on that point.

EVICTIONS (IRELAND)—RESOLUTION OF THE ULSTER LAND COMMITTEE.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a report published in *The Belfast Morning News* of the 23rd instant of a meeting of the Ulster Land Committee, held in Belfast on Friday last, under the presidency of Samuel Black, Esq., J.P., at which a resolution was adopted expressing alarm and apprehension in view of the prospect of the enormous number of evictions in Ireland, and appealing—

"To Parliament to adopt measures calculated to arrest the injustice and suffering which are likely to ensue from such lamentable proceedings;"

and, whether, considering that a large number of these evictions are in consequence of the non-payment of the old rents, which the landlords are endeavouring to exact from tenants who are entitled to the benefit of the fair rents, he will take steps to prevent evictions in respect of the non-payment of the old rents pending the fixing of the fair rents by the Land Commission?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have seen the article alluded to; but I have no ground for thinking that the anticipations expressed in the Question are likely to be realized.

MR. M'CARTAN: Is it not a fact that a large number of Irish landlords are exacting the old rents, pending the fixing of fair rents?

MR. A. J. BALFOUR: No; I am not aware of that; but I should be very glad to take into consideration any case the hon. Gentleman places before me.

HARBOURS (IRELAND)—DUES AT ARDGLASS, CO. DOWN.

MR. M'CARTAN (Down, S.) asked the Secretary to the Treasury, with reference to the complaints made as to the excessive charges for dues on vessels and cargoes at the harbour of Ardglass, County Down, Whether he has yet considered the matter, and if he can state what changes are proposed to be made?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): I have investigated the charges of the Ardglass Harbour, and I find they compare favourably with the charges in other deep water harbours on the East Coast, such as Arklow and Wicklow; but they are far from meeting the annual charge of maintenance, still less for the making of any provision for paying off the debt on the harbour. In 1885-6 the receipts were £104, and the expenditure £761; in 1886-7 the receipts were £162, and the expenditure £816; in 1887-8 the receipts were £249, and the expenditure £848. These figures, although they show a progressive increase of receipts, do not justify me in recommending a reduction of the dues.

MR. M'CARTAN: Is the hon. Gentleman aware whether, in the case of the Ardglass Harbour, there are any charges which prevent an increase of the receipts?

MR. JACKSON: No, Sir; I do not think the figures I have quoted justify that conclusion, because the receipts show a continuous increase. In the two years they have more than doubled.

EVICTIONS (IRELAND) — THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE—SERGEANT FLETCHER, ROYAL IRISH CONSTABULARY.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) (for Mr. SHEEHY) (Galway, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Sergeant Fletcher, of the Royal Irish Constabulary, acted as bailiff guiding the evicting force on the Vandeleur Estate to the various homesteads; whether, in this work, he was driven on a police car and accompanied by two other members of the Force; whether his duty at these evictions was confined to the preservation of the peace; and, what rule of the Police Code permitted him to fulfil the duties of estate bailiff?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, that the Divisional Magistrate reported that neither Sergeant Fletcher

nor any other member of the Constabulary acted as bailiff. A protecting force was sent to a certain townland, and the local police guided the force there.

MR. SEXTON: Are we to understand that it is the duty of the police to guide these eviction parties?

MR. A. J. BALFOUR said, he should imagine that it was consistent with the duty of the police to do so.

MR. SEXTON: When we come to the payment of the sergeant, the landlord will find that he will have to pay him.

THE LATE MR. MANDEVILLE—PROCEEDINGS BEFORE THE CORONER—DR. BARR.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) (for Dr. KENNY) (Cork, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Dr. James Barr, at present attending the Mitchelstown inquest as a witness on behalf of the Irish Prisons Board, holds any office under the Home Office; if so, what is the office; is he the same medical man who visited the political prisoners in Tullamore Gaol last winter; if so, by whose direction did he visit them; did he make any Report of the result of his visit to the Irish Authorities; and, if he did, will the right hon. Gentleman produce his Report for the information of the House; did he visit other gaols in Ireland and make Reports thereon; and, if so, will those Reports also be produced; is he the same person who, representing himself as a medical man, recently visited Mr. John Dillon in Dundalk Gaol; if so, by whose direction did he make the visit and for what purpose, and what Report, if any, has he made of his visit; did he refuse to give his name to Mr. John Dillon when demanding that the hon. Member should submit himself to his examination; did Mr. Dillon refuse to submit to such examination unless furnished with some credentials by his visitor; and, was it by the instructions of the Government that Dr. Barr desired to keep his name and purposes secret?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Dr. Barr is medical officer of Kirkdale Prison, Liverpool. He visited prisoners convicted under the Crimes Act in Tullamore last year by direction of the Government. He did make a Report upon the subject. As at present advised, I do not propose to lay these Reports upon the Table. Such a course would be contrary to universal practice, and might form a very undesirable precedent. He visited, in addition to Tullamore, Limerick, Clonmel, Cork, Wexford, and Londonderry Prisons. By the order of the Government he recently visited Mr. John Dillon. I am not aware whether he refused his name. Mr. Dillon did decline to submit to examination.

DR. TANNER (Cork Co., Mid): Will the right hon. Gentleman say why he did not send an Irish medical man on this mission, and not cast a suspicion and a slur on a body of honourable men?

MR. SPEAKER: Order, order!

MR. MAURICE HEALY (Cork): Might I ask the right hon. Gentleman why he is unable to answer the portion of the Question which states that Dr. Barr refused to give his name to Mr. Dillon?

MR. A. J. BALFOUR: I have not got any information on the subject. If the hon. Gentleman thinks the matter important he can put a Question down.

LAW AND JUSTICE (SCOTLAND)—SENTENCE OF WHIPPING.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Lord Advocate, If he has seen the statement in the Scotch papers that a boy, James O'Neill, sentenced to be whipped at Coatbridge, was sent to Glasgow to receive the whipping; and, whether this was a violation of the Regulations laid down by the Lord Advocate?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The Regulations state that the punishment is to be inflicted in such police office or cell or other suitable place, if possible, within or adjoining the Court House, as shall be fixed by the Sheriff; and the Sheriff is directed to see that such place is provided. But great difficulty arises from its being often impossible to find any person who will undertake the duty in the place where the trial takes place; while the Police Authorities dispute the right of the Lord Advocate to make a Regulation ordering police constables to act. The County Authorities also object to the right of any officer of

State to order the punishment to be carried out on their premises.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL — AGRICULTURAL VOTERS—THE COUNTY COUNCIL.

MR. FENWICK (Northumberland, Wansbeck) asked the President of the Local Government Board, Whether agricultural labourers who are hired by the year and occupy houses on the farms on which they are employed, the occupation of such houses being part of their wages, will be entitled to vote for members of the County Council?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's), in reply, said, that under the conditions stated in the Question agricultural labourers would be entitled to a vote.

MR. STANSFELD (Halifax) asked, whether the right hon. Gentleman was aware that Clerks of the Peace had been advising overseers to omit such occupiers from their lists?

MR. RITCHIE said, he was not aware of the circumstances mentioned by the right hon. Gentleman; but he would inquire into them.

MR. FENWICK asked, whether the right hon. Gentleman was aware that in the North of England a large number of agricultural labourers, who lived in houses as part of their hiring, had been refused in their requests to have their names put on the Register?

MR. RITCHIE said he would inquire.

COMMISSIONERS OF NATIONAL EDUCATION (IRELAND)—SIR PATRICK J. KEENAN.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) (for Dr. KENNY) (Cork, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the P. J. Keenan, whose name appears as signing several recent Dublin Castle Proclamations, is the same person as the paid official of that name, the Resident Commissioner of National Education, Ireland; and, whether, in future, the Government will take steps to put a stop to the practice of requiring a paid official occupying such a position as that of National Education Commissioner from being identified with acts of the Executive Government?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): It is not within my province to interfere with the discretion which Privy Councillors may use in the exercise of duties imposed upon the Privy Council by Act of Parliament. But I may inform the hon. Member that Sir Patrick Keenan has signed no Proclamation of the kind to which the hon. Member seems to refer.

MR. SEXTON: As this Gentleman has been turned into a tool of Dublin Castle, I will move at the proper time to strike his salary out of the National Education Estimates.

NAVY—THE EXPERIMENTAL NAVAL MANŒUVRES—CHARTS.

SIR JOHN COLOMB (Tower Hamlets, Bow, &c.) asked the First Lord of the Admiralty, Whether he is aware that the four charts furnished by the Admiralty to the Library, for the use of Members during the experimental Naval Manœuvres, are inconveniently small; that upon none of them are the limits within which the operations are to be confined shown; nor are the signal stations which are in telegraphic communication with the Admiralty in any way distinguished; whether he is aware that there is hanging up at Lloyd's a large clear chart upon which the limits of these operations are indicated, and that alongside this chart are exhibited, by reference, a copy of the official programme, the names of the vessels comprising each Division of the Fleet, and all telegrams as they arrive relating to the movements of the Squadrons and ships, while by means of distinguishing pins representing vessels the position of the Squadrons as last reported can be seen at a glance; and, whether, under these circumstances, he will reconsider his decision, and cause such arrangements to be made as will afford Members of this House equal advantages to those provided at Lloyd's for following these important and instructive experimental naval operations?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The charts furnished to elucidate the Naval Manœuvres are those in actual use by the officers conducting the manœuvres, and would, therefore, seem the most suitable for hon. Members to follow. Any charts which are published by the Admiralty, and which the hon. and gallant Member wishes to see, can

doubtless be shown to him on his signifying his wish to the Librarian of the House. As the scope of the operations extends over the whole of the coasts of the United Kingdom it is difficult to define any limits. I have not seen the chart at Lloyd's referred to; but I would remind the hon. and gallant Member that, although Lloyd's may record from hour to hour the movements of the ships from the sources at their disposal, this is not done from authoritative sources; and even if it were possible to do so, I do not consider such movements would be of value to hon. Members when the conditions are so constantly changing. I have no objection to having a Paper drawn up showing the composition of the different Squadrons, which may be attached to the charts.

LOCAL GOVERNMENT BOARD (IRELAND)—MULLINGAR WATER ACT, 1885—THE BOARD OF GUARDIANS.

MR. PAULTON (Durham, Bishop Auckland) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Local Government Board, Ireland, will take any steps to compel the Board of Guardians of the Mullingar Union to avail themselves of the power to take water from Lough Owel, given in the Mullingar Water Act of 1885; and, if the Guardians allow the compulsory powers given by that Act, and limited to three years from the passing of it to expire, does the whole Act drop?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Local Government Board have no power to compel the Board of Guardians of Mullingar Union to carry out the Lough Owel scheme provided for by the Mullingar Water Act of 1885. The powers of the Guardians for the compulsory purchase of land or waters for the purposes of the Act will expire on the 31st instant; and the period within which the works authorized by the Act may be executed will terminate on July 31, 1892.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ARREST OF MR. JAMES O'KELLY, M.P.

MR. HAYDEN (Leitrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the metting in Boyle, described in the warrant on which Mr. James O'Kelly, M.P., was arrested, was advertised for a considerable time previous to being held; whether any steps were taken to proclaim it; and, what time has elapsed since the alleged offence was committed?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The meeting referred to was held on Sunday, June 24. It was summoned by placards; but for what time previous to the date fixed I am unable to say. No steps were taken to proclaim it.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): With reference to the arrest of Mr. O'Kelly, may I ask whether the Irish Government had any reason to apprehend that he or any other Irish Member would endeavour to avoid arrest, or would fail to appear in Court to answer any charge against him; and whether they cannot convey to a Member that his presence is required on a certain day, instead of having detectives slouching about the House, and dogging the steps of Members on their way to and from the discharge of their Parliamentary duties?

MR. A. J. BALFOUR: There is no legal process by which, under the Act, a Member can be summoned in England to attend in Ireland. My hon. and learned Friend (the Solicitor General for Ireland) tells me that it must be done by way of warrant. With regard to the other Question of the hon. Member, whether I have any reason to suppose that any Irish Member of Parliament would desire to evade going before a Court of Law, I have to say that I have painful experience on that point, for two or three Gentlemen at least refused to obey summonses.

MR. ARTHUR O'CONNOR (Donegal, E.) asked why the warrant was held over, and why the proceedings were delayed for a month?

MR. A. J. BALFOUR: I have no reason to believe that the warrant was held over for any period of time. As to the Question why the hon. Member for Roscommon was not arrested immediately after the speech or meeting, the hon. Member must be aware that these things require consideration, and delay must occur.

MR. CHANCE (Kilkenny, S.): Will the right hon. Gentleman say by whom

was the prosecution directed—whether he himself directed the prosecution?

MR. A. J. BALFOUR: I am entirely responsible for what has taken place.

MR. T. C. HARRINGTON (Dublin, Harbour) asked if it was not the case that English jurisdiction "runs" in Scotland and *vice versâ?*

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University), after consultation with the Lord Advocate, said, he was not prepared to admit that such was the case; but he was absolutely certain such jurisdiction did not apply to a summons of an Irish Court of Summary Jurisdiction.

MR. SEXTON: Will the hon. and learned Gentleman say why a summons was not served on the hon. Member for Roscommon?

MR. MADDEN: It would be impossible to obtain a summons for service in England, and the only process that could be obtained for execution in England was a warrant enforceable under the Statute.

MR. SEXTON: Is there no other way of informing a Member engaged in attending to his Parliamentary duties that he is required to answer a complaint against him than that of arresting him and taking him as a prisoner to Ireland?

MR. MADDEN: There are no other means known to the law of effecting the object.

MR. MAURICE HEALY (Cork) asked, if the sending of an Irish Court summons to a person resident in England would not be as effectual as if the party was in Ireland?

MR. MADDEN: No; there is no statutory provision for serving it; no magistrate would be justified in issuing such a document, and it could not possibly be put in force.

MR. W. REDMOND (Fermanagh, N.): I would like to ask whether midnight was selected for effecting the arrest of the hon. Member for Roscommon, because the authorities were afraid his arrest in the streets in the course of the day might have caused a tumult?

MR. SPEAKER: Order, order! Sir John Swinburne.

SOUTH AFRICA — ZULULAND — EMPLOYMENT OF ARMED NATIVES.

SIR JOHN SWINBURNE (Staffordshire, Lichfield) asked the First Lord of the Treasury, Whether Her Majesty's Government will employ any armed Natives of Africa in suppressing the unhappy disturbances which have arisen in Zululand?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) (who replied) said: Basutos and friendly Zulus have already been employed, and the General in command has full discretion to employ them in the suppression of these disturbances. It is desirable, as far as possible, to relieve the white troops from the danger to health inseparable from the climate in Zululand.

SIR JOHN SWINBURNE asked, whether horrible atrocities did not take place in the Transvaal, including the brutal murder of women and children, through the employment of Native levies?

MR. E. STANHOPE said, there was no use in going back to that time. The General in command would now be responsible for the conduct of the levies.

PUBLIC BILLS—THE ROYAL ASSENT—ATTENDANCE ON COMMISSIONS.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar) asked the First Lord of the Treasury, Whether he would endeavour to make arrangements whereby the Speaker should attend the Commission for giving the Royal Assent to Bills at a time more convenient to the Lower House?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am in communication with the authorities of the other House, with the view of seeing whether arrangements cannot be made for the Royal Assent being signified at an earlier stage of the proceedings of this House.

THE NATIONAL RIFLE ASSOCIATION—REMOVAL TO RICHMOND PARK.

MR. KIMBER (Wandsworth) asked the First Lord of the Treasury, Whether the Cabinet will, before arriving at any conclusion on the First Commissioner reporting to them on the subject of Richmond Park, take into consideration the larger question whether, having regard to the growing national importance of the Volunteer Army, one or more Central or Provincial Camps of Instruction and Competition should be provided for them in touch with the Regular

Forces, and on a basis commensurate with their value to the country?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The question as to allowing to the Volunteers the use of Richmond Park is still under the consideration of the Government, and the more general question of camps of instruction will also receive attention.

SIR WILLIAM HARCOURT (Derby) asked, whether the proposed occupation of Richmond Park by the Volunteers would be brought under the notice of the House?

MR. W. H. SMITH said, there would be a discussion in "another place" on the subject to-morrow, and he should prefer postponing any answer to the Question until the result of that debate was known.

THE AGRICULTURAL DEPARTMENT—LEGISLATION.

SIR EDWARD BIRKBECK (Norfolk, E.) asked the First Lord of the Treasury, Whether he is now in a position to state definitely when the Bill for creating the Agricultural Department will be introduced, and in which House of Parliament?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I hope to be able to lay the Bill on the Table in the course of next week. I think it would be convenient to do so in this House; and I trust I may be permitted to do it without any prolonged discussion, as I believe that the House on both sides desires to have information with regard to the scheme of the Government in the course of the present sittings.

BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): Perhaps I may be allowed to take this opportunity of referring to a question which was addressed to me by the right hon. Gentleman opposite (Mr. W. E. Gladstone) with regard to the course of Business. A few days ago I entertained the hope, which I believe the House generally entertained, that it might have been possible to abstain from asking the House to adjourn to the autumn. But, Sir, I am obliged to come to the conclusion that the state of Business will not permit us to entertain that hope any longer, and we must ask the assistance of the House, at an adjourned Sitting in the autumn, to dispose of Votes in Supply, which, I am afraid, must remain undisposed of in the course of the present Sittings of the House. I have endeavoured, as far as I can, to ascertain the views of hon. Gentlemen on both sides of the House, and I have come to the conclusion that it would be exceedingly inconvenient to them, and not an advantage to the Public Service, that we should ask the House to continue its Sittings through the month of August, and probably far into September, in order to dispose of the remaining Business which must be disposed of before the House can be prorogued. Although I do deeply regret the necessity we are under of postponing the consideration of Supply to so late a period of the year—and I hope it will be the last time in the history of Parliament in which it will be necessary to do it—still, I think the peculiar circumstances of the present case warrant the course which I am now about to recommend to the House. I have stated that it appears to me to be absolutely essential that the Bills which have passed through Grand Committees should be disposed of before the House adjourns; and in making that statement I believe I have the unanimous support of Members on both sides of the House. The work of the Standing Committees has been of a most satisfactory character, and it would be a great misfortune if any difficulty or delay occurred in giving full effect to it. In these circumstances, we shall ask the House to proceed with the Bills which have passed through the Grand Committees before the adjournment. We shall ask the House to dispose of the Local Government Bill before the adjournment. I trust I may be permitted to express the hope that that Bill may be disposed of in the course of to-morrow's Sitting, and in order to facilitate that result I shall propose to move the suspension of the 12 o'clock Rule, although I hope it may be possible to conclude the consideration of the Bill, and to read it a third time before 12 o'clock to-morrow night. The House will see that if there is to be an early adjournment, it is absolutely necessary that that Bill should go soon to

"another place," so that we may receive it back again to consider any Amendments that may be made there. I propose to proceed with the consideration of the Members of Parliament Commission Bill in Committee on Monday night, and if it is not disposed of on Monday, to take it again on Tuesday. I hope that the two Sittings may be more than sufficient to dispose of that stage of the Bill. There remains the Standing Committee Bills—the Employers' Liability Bill, the County Court Consolidation Bill, and the Mortmain Bill; and I should hope that they may be disposed of at one Sitting. We shall have to ask for Votes on Account of the Civil Service and the Army and Navy Estimates. There will remain for second reading during the Sitting the Universities (Scotland) Bill, and there are two or three other measures which have passed through Committee or through Standing Committees with regard to which I hope to make arrangements satisfactory to Members from Scotland, so that they may have a day for them. There are also measures relating to Imperial Defence, Excise Duties, and the collection of tithes, which I must ask the House to consider before the adjournment. We must also set apart a day for the consideration of the Indian Budget. There is also one other measure which is involved in the Local Government Bill, and to which consideration must be given—that is the Bill allocating the portion of the Probate Duty which is appropriated in aid of local finance; and it is only right that the House should be made fully acquainted with the proposals of the Government, more especially with regard to Scotland and Ireland, before the adjournment. I trust that, with the assistance of the House, we may be enabled to arrive at a comparatively early adjournment, so that we may obtain the rest which we shall require previous to the Autumn Session, to which it is my duty, with very great regret, to invite the House. There is one omission I have made, and that is with regard to my engagement with the hon. Member for Shields (Mr. J. C. Stevenson). I trust before the adjournment I may be enabled to arrange that one of the other measures of which I have spoken may be taken at a Morning Sitting, and that the Evening Sitting may be appropriated to the Bill of the hon. Member on the subject of Sunday Closing.

MR. BRADLAUGH (Northampton) asked what the intention of the right hon. Gentleman was with reference to the Oaths Bill, which stood for third reading?

MR. W. H. SMITH hoped that the hon. Member would have the opportunity which he desired to move the third reading of this Bill. In his statement he had not, of course, mentioned every measure of the second class which might or must be passed. For example, he had not mentioned the Expiring Laws Continuance Bill, the Public Works Loans Bill, or the Metropolitan Board of Works Money Bill. These measures, which involved no great principle, and were usually passed without opposition, would have to be taken.

MR. BRADLAUGH said, that, under the New Rules, it would be impossible to raise a discussion on the Indian Budget on the Motion that the Speaker do leave the Chair. He regretted this because hitherto the Motion had afforded the chief opportunity which the House had enjoyed of drawing attention to Indian grievances. He wished to know whether this effect of the New Rules was intended by the Government, or whether it was accidental; and, in the latter case, whether the Government could meet the difficulty?

MR. BUCHANAN (Edinburgh, W.) asked if they were to understand that it was the intention of the Government to take the second reading of the Universities (Scotland) Bill before the adjournment, and then postpone the Committee stage till the autumn; and also whether a Bill would be introduced during the present Session dealing with the allocation of the Probate Duty in Scotland? He pointed out that, according to the scheme of Business laid down by the right hon. Gentleman, the second reading of the Universities (Scotland) Bill would be put off till the last days of the present Session. He also wished to know when the Autumn Sitting would begin?

MR. BROADHURST (Nottingham, W.) wished to know when the Employers Liability Bill would be taken, and whether, when it was taken, it would be set down as to the first Order? He hoped it would not be fixed for a Wednesday.

SIR WILLIAM HARCOURT (Derby) said, he would remind the First Lord of the Treasury that there were two Tithes Bills before the House. He did not suppose the right hon. Gentleman proposed to take what he might call the principal measure, as he probably would be aware that it was a very much disputed Bill, and would not fail to occupy a considerable amount of time.

MR. CAUSTON (Southwark, W.) asked, whether there was any precedent for a Finance Minister pressing forward, at so late a period of the Session, so important a question as the proposal to tax vans and wheels?

MR. HUNTER (Aberdeen, N.) asked, whether, taking into consideration the extreme length of the legislative programme which the First Lord of the Treasury had indicated, that probably the Session would be carried on to the end of August; and, looking also to the fact that the Universities (Scotland) Bill must be the subject of very prolonged discussion and opposition, he would consider the propriety of postponing the Universities (Scotland) Bill until the Autumn Session?

MR. DILLWYN (Swansea, Town) wished to know when the National Defences Bill would be taken; and if a day could not now be named, whether ample Notice would be given of the intention of the Government to bring it forward.

MR. FIRTH (Dundee) said, that the Board of Works Money Bill ought rightly to have been in the hands of Members on June 1. When would it be introduced?

MR. CRAIG SELLAR (Lanarkshire, Partick) asked what the right hon. Gentleman intended to do with the Merchant Shipping Bill, which had not yet come before the Grand Committee? It would give rise to a good deal of discussion, and he wanted to know whether it was to be proceeded with?

MR. LEA (Londonderry, S.) said, the First Lord of the Treasury had said nothing about the three Irish Drainage Bills, and he wished to know if it was the intention of the Government to pass these Bills, and when the Select Committee would sit to which it was intended to refer the Bill? Also, would Committees be expected to sit generally in the Autumn Session? He wished to know now whether it was the intention of the Government to put a clause in the Expiring Laws Continuance Bill continuing the powers of the Land Commission in Ireland; and whether it would be passed before the powers of the Land Commission expired?

MR. WALLACE (Edinburgh, E.), in support of the views of the hon. Member for North Aberdeen (Mr. Hunter), asked whether the right hon. Gentleman would not postpone the consideration of the Universities (Scotland) Bill, in view of the prolonged discussion to which it would give rise, till the Autumn Sitting, or give a Saturday Sitting for its consideration?

MR. ANDERSON (Elgin and Nairn) said, as the Trustee Bill had already passed the Grand Committee, he hoped it would be passed. With regard to Scottish Business, he hoped a day would be named for the consideration or allocation of the Probate Duty, as an important discussion might take place.

MR. W. P. SINCLAIR (Falkirk, &c.) asked whether the Scotch Burgh and Police Bill would be proceeded with, and whether the right hon. Gentleman would not reconsider his decision with reference to the Sunday Closing Bill, and appoint a day for its discussion in the autumn instead of now? The reason for his request was that many Members had paired for the Session without reference to this Bill, and that it would be difficult to secure a full and fair discussion if the debate were taken before the Adjournment.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian) said, he was desirous of pressing the claims of one Bill, if it was to be made the subject of legislation during the present Sitting of the House —the Wheel Tax Bill. He knew how reluctantly the Government yielded to the postponement of the Votes in Supply; but while the general opinion was that Supply should, if possible, be taken at an early period, and with a full attendance of Members, he was sure it would be felt that there was one class of subject with respect to which those considerations applied with still greater force—namely, Bills dealing with taxation. He thought it would be a matter entirely without precedent—in his recollection at least—if the consideration of a measure such as the Wheel Tax Bill were postponed to the dregs of the Session, at a time when there would be a very limited number of Members in attendance. He trusted, therefore, that

in the course of next week a vote would be come to on the subject of the Wheel Tax.

DR. CLARK (Caithness) asked whether it was intended to proceed both with the Burgh Police and Health (Scotland) Bill and the Bail Bill?

SIR WILFRID LAWSON (Cumberland, Cockermouth) asked when the Vote on Account would be taken?

MR. W. H. SMITH, replying first to the hon. Baronet, said, that he could not pledge himself to dates at that moment. The hon. Member for Edinburgh (Mr. Buchanan) expressed a very strong desire that the University (Scotland) Bill should not be proceeded with this Session. He had endeavoured as far as he could to gather the opinions of the Members for Scotland, and he found that the preponderance of opinion was strongly in favour of the Bill being read a second time, if possible, during the course of the present Sitting. He proposed, therefore, to arrange for a day for Scotch Business, and the Universities Bill would be put down; and if hon. Members would make that day do also for the Burgh Police and Health Bill and the Bail Bill, it would be agreeable to the views of a large number of Gentlemen from that portion of the Kingdom. [An hon. MEMBER: What date?] He had already said it was impossible to indicate a day precisely. He would arrange at the earliest possible moment, or as soon as they had made progress in other Business. He might mention that they were now at the 26th July, and having regard to the course of Public Business during the last year he did not think an early day in August would be a late day for the disposal of this question. With regard to the National Defence Bill, it would not be taken that evening; but he hoped that, as the House had gone into Committee on that Bill, there would not be much delay in passing it. The hon. Member for Dundee (Mr. Firth) asked as to the Board of Works Bill. The Government were not under any obligation to produce it on the 1st of June. It included the whole of the financial provisions for works to be executed in London during the course of the coming year for which powers had been obtained, and none of the works could be executed unless this particular Bill passed this Session. Then, the House would remember that the powers of the Board of Works passed from them under the Local Government Bill, so that, unless this particular Bill passed, the new County Councils would not have any financial power to carry out the necessary works for the Metropolis. The Merchant Shipping Bill was not one of the measures which the Government considered it necessary to proceed with during the present Sittings. The hon. Member for Londonderry (Mr. Lea) had asked a Question with regard to the Drainage Bills. They were not in that category which would require the Government to press them upon the consideration of the House if hon. Members representing Irish constituencies objected. The Government left those Bills entirely in the hands of those hon. Members, and if they objected the Government would not press them. [Mr. SEXTON: Let us debate them.] With regard to the Committees in the Autumn Session, he should hope there would not be many Committees sitting during the course of that Session; but there was one Committee which he thought they should have to ask the House to appoint, and that was a Committee to inquire into the question of emigration. The Government had prepared proposals with regard to emigration affecting certain districts in Scotland, and they thought the House should be in possession of fuller information than it had at present with regard to the plan, and the scheme, and the proposed operation of the system of emigration which had been adopted. They would probably, therefore, in the very early days of the Autumn Session, ask the Home to appoint a Committee on that subject. The Expiring Laws Continuance Bill would contain a clause continuing the Land Commission in Ireland, and it would be passed before the existing powers of the Commission expired. He was asked as to the Official Trustee Bill. That was not a Government measure, and he could not hold out any hopes that the Government would ask the House to sit longer than would otherwise be necessary in order to pass it. As to the Sunday Closing Bill, he considered he was under an obligation to the hon. Member for South Shields to find him an opportunity in the course of the present Sitting for its discussion; but if equally agreeable to him that the consideration of the question be post-

poned until the Autumn Session, he should not be unwilling to meet his wishes. The Burgh Police and Health (Scotland) Bill, he hoped, was one which would be accepted by Scottish Members without much further consideration. It had been, he believed, most exhaustively dealt with by a Select Committee, and it came among the class of measures which, having been so carefully examined, it would be a misfortune if it were not to be passed in the present Session.

MR. BROADHURST: The Employers' Liability Bill?

MR. W. H. SMITH said, he was not able to say when he would put the Employers' Liability Bill on the Paper; but not under any circumstances could he undertake that it should be the first Order of the Day, because it was intended to take the County Courts Bill on the same day, and as that was not expected to occupy any very considerable time it would be taken first and the Employers' Liability Bill afterwards.

SIR WILLIAM HARCOURT: The Tithes Bill?

MR. W. H. SMITH: With regard to the Tithes Bill, he would give information as to the particular Bill they would ask the House to deal with to-morrow. It was certainly the intention of the Government to deal with the Wheel Tax —the Excise Duties Bill, as they preferred to call it—in these Sittings, and they would put it down in the course of next week. He mentioned this with some reserve, because it might be necessary to take a Vote on Account next week, and therefore the time of the House might be taken up with that; but he hoped that on Thursday next they might be able to take it. As to the New Rule, it was not intended that the hon. Member for Northampton (Mr. Bradlaugh) should be shut out from his opportunity of raising the Motion in the manner indicated. He would consider whether any method could be adopted without disturbing the Rules of the House.

MR. ANDERSON said, he had not referred to the Official Trustee Bill, but to the General Trustee Bill, which contained a most important provision as to extending the power of investment by trustees. An undertaking had been given by the Chancellor of the Exchequer that it would be proceeded with, and he (Mr. Anderson) earnestly hoped it would be allowed to go on.

MR. MUNDELLA (Sheffield, Brightside) pointed out that the right hon. Gentleman had not told the House when it was proposed they should adjourn, or when they should re-assemble in the autumn.

MR. W. H. SMITH said, he had indicated—he hoped with as much consideration as he could for the feelings and the necessities of the case—to hon. Gentlemen the measures which it appeared to him it was absolutely necessary the House should take before it adjourned. He thought they might get through the work he had indicated by the end of the second week in August. He hoped they might be able to do so. That would be the 11th of August; but hon. and right hon. Gentlemen opposite who had experience of Business in the House would not think he was doing his duty by the House or Public Business if he gave an undertaking that the House would rise on a particular day when there was Public Business which must be got through before the adjournment took place. With regard to the meeting in the autumn, he hoped it would not be necessary for the House to come together before the first week in November.

MR. ESSLEMONT (Aberdeen, E.) said, that the First Lord of the Treasury was evidently under a misapprehension with regard to the Scotch Bills. He had consulted with several Scotch Members, and he believed that while they were not very desirous that the Universities (Scotland) Bill should be taken until the Autumn Session there was a very general feeling that the Burgh Police and Health Bill should be taken at the earliest opportunity.

MR. BRYN ROBERTS (Carnarvonshire, Eifion) asked whether the programme submitted by the right hon. Gentleman in regard to the present Sitting would be subject to any revision?

MR. W. H. SMITH said, that, as far as he could see, it would be the duty of the House to sit until the whole of the programme he had given was got through.

MR. J. C. STEVENSON (South Shields) said, he was quite willing to accept a suitable day in the Autumn Session for the discussion of the Sunday Closing Bill.

LORD CHARLES BERESFORD (Marylebone, E.) asked if the Navy Estimates would be discussed on the Vote on Account?

MR. W. H. SMITH said, that, of course, it would be open to the Committee to have such a discussion on the Vote on Account; but he would appeal to his noble Friend to say whether he wanted the same discussion twice over? Every one of the Votes would come on for discussion at the Autumn Sitting?

MR. CHILDERS (Edinburgh, S.) said, he had not understood that there was to be a Vote on Account for the Army and Navy, but only for the Civil Service Estimates.

MR. W. H. SMITH said, he would wish to consult the convenience of hon. Members on that point. No Vote on Account of the Army and Navy would be taken if it were not desired; it was a most unusual course, and only adopted, he believed, when a Dissolution took place. He might at once say that if there was a disposition to debate the Vote on Account, then he would prefer to take a separate Vote, because it would be obviously inconvenient that there should be two debates on the same question.

MR. PROVAND (Glasgow, Blackfriars, &c.): Is it proposed to continue Lord Ashbourne's Act?

MR. W. H. SMITH said, a Bill to continue the Act would be proceeded with during the present Sitting.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton) asked whether, considering a Vote on Account for the Army and Navy was to be taken for the purpose of enabling hon. Members to have a reasonable holiday before the Autumn Session, the right hon. Gentleman would not reconsider his programme so as to give a reasonable prospect of its being discharged before the autumn was over; whether he had considered that the business would be better done when hon. Members came back refreshed by a reasonable holiday, and that it was not in any sense a dereliction or abandonment of public duty to postpone Bills which could be passed equally well in the first week of November as in the third or—he was afraid it might be—the fourth week in August? He hoped the right hon. Gentleman would in the course of the next day or two ascertain the sentiments of hon. Members and put a considerable amount of his programme into the later Sitting.

MR. W. H. SMITH said, he had already taken the usual steps to arrive at that information and to meet the views conveyed to him, not only from Friends behind, but from hon. and right hon. Gentlemen opposite. He had gone as far as he could to meet their wishes, and he trusted the arrangement would be accepted by the House, and that the House would give them assistance in carrying it into effect.

SIR WALTER B. BARTTELOT (Sussex, N.W.) asked his right hon. Friend whether he intended to depart from the principle which had been so steadily laid down for many years, that the Votes for the Army and Navy should be taken each Vote separately, and that no Vote on Account should be taken for either the Army or Navy?

MR. W. H. SMITH: I thought I had given information to the House and to my hon. and gallant Friend with regard to this question. If the House prefers that the Votes for the Army and Navy that will carry us on to the month of November should be taken subsequently, I am willing to put them down. But I understood that there was a desire on the part of hon. Members on both sides to discuss on the Votes in Committee of Supply the questions raised in the Committees on the Army and Navy Estimates, and I thought I was justified in departing from precedent in order to give hon. Members the opportunity they desire. If, however, that desire does not exist in any considerable degree on both sides, I shall be only too glad to take substantive Votes that will carry us on to November. I think, on the whole, it will be best to meet the wishes of the House, even if in opposition to the policy of the Government, rather than to force a particular course, even if justified by precedent.

MR. W. E. GLADSTONE: As the right hon. Gentleman has referred to the state of opinion on this side of the House with regard to Votes on Account and substantive Votes in Committee, I wish to state, as my own opinion, that I should certainly very much lean to the hope that the right hon. Gentleman will, if possible, adhere to the established practice and take whatever he requires as substantive Votes.

MR. W. H. SMITH: Very well.

ORDERS OF THE DAY.

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LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.—[Bill 338.]

(*Mr. Ritchie, Mr. William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Secretary Matthews, Mr. Long.*)

CONSIDERATION.

Bill, as amended, *considered.*

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's), in moving to insert, after Clause 22, the following Clause:—

"(1) The sums paid in pursuance of this Act to the local taxation account, in respect of the proceeds of the probate duties (in this Act referred to as the 'probate duty grant') shall, until Parliament otherwise determine, be distributed among the several counties in England in proportion to the share which the Local Government Board certify to have been received by each county during the financial year ending the 31st day of March next before the passing of this Act out of the grants heretofore made out of the Exchequer in aid of local rates, which will cease to be granted after the passing of this Act, and the share to be so certified shall be estimated in such manner as the Local Government Board direct.

(2) The proportion to be paid to each county shall from time to time be paid under the direction of the Local Government Board to the county council out of the local taxation account. The Board may, if they think proper, vary their certificate, but unless it is so varied, their certificate shall be conclusive,"

said, that the Government had undertaken to reconsider the whole question of the mode of distributing the Probate Grant. The contention had been that the distribution on the basis of indoor pauperism would act unfairly with reference to particular counties, and especially with reference to Wales. It was also said that it might be the means of Guardians using pressure to get people into the workhouse, so that the County and the Union might get a larger proportion of the grant. The Government felt the force of some of the objections urged against their proposal, and now intended to adopt a method by which the question of pauperism, indoor or outdoor, would be left out of the question, and should not be at all the measure of the amount to be received either by the County or by the Union, with the exception of the Metropolis. They had carefully considered all the various modes by which the money should be distributed, and had come to the conclusion that, on the whole, the best method was that the money should be distributed to the counties in the same proportion as the grants in aid from the Exchequer which were at present given, but which were to be discontinued. The advantage of that method was that it did not touch the question of indoor pauperism, and that it was to some extent a measure of the needs of the localities, because the amount hitherto so contributed out of the Imperial Exchequer had been a certain proportion of the money spent for various purposes by the localities. Entailing as the Bill did upon the County Councils the obligation of paying to the localities within their areas similar contributions, it was provided that the County Councils should have certain money distributed to them in proportion to the payments which they would have to make. The amount of grants in aid discontinued was about £2,600,000. The amount of the Probate Duty which would be allocated to the Local Authorities was about £1,800,000. The result, therefore, would be that wherever the county had been in the habit of receiving from the Imperial Exchequer £2,600, it would, under the proposal of the Government, now receive £1,800, while it would have to pay to its areas the £2,600. On the whole, the result would, he believed, be found to be satisfactory, with the exception of the Metropolis. It so happened that under no system whatever which could be adopted, other than the system which they originally proposed, would the Metropolis gain so much. Therefore, as the Government had been driven from their proposals as to indoor pauperism, it was inevitable that the Metropolis must suffer; while under the system now proposed it would suffer less than if the grant were based upon population or rateable value. Putting aside the Metropolis for the moment, it could not be gainsaid that a good many of the anomalies which must exist under any system were lessened by the proposal that the Government now made. With reference to the distribution as between counties and local areas, he proposed to get away from indoor pauperism and to adopt a system by which certain establishment charges would be paid by the County Fund, just as those in the Metropolis were now paid out of the Metro-

politan Common Poor Fund. Singularly enough, the amount so paid happened to be almost equal to the original amount they contemplated of 4*d.* for an indoor pauper. Under the new proposal, no question would arise as to there being any inducement to Boards of Guardians unduly to press applicants for relief into the workhouse. In conclusion, he would express the hope that the present proposals of the Government would be generally acceptable to the House.

Clause (Distribution of probate duty grant,)—(*Mr. Ritchie,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. RATHBONE (Carnarvonshire, Arfon) said, he wished to move at once that this clause should be postponed.

MR. SPEAKER, interposing, said, the hon. Member could not make such a Motion, as they were not in Committee now.

MR. RATHBONE said, that in that case he wished to state his entire disapproval of the clause. He wished, first, distinctly to state that in the unfavourable comments which he felt compelled to make upon the present proposal of the Government, he desired to exclude emphatically the President of the Local Government Board. The right hon. Gentleman had shown repeatedly that he had the courage of his convictions, and he was sure that if the right hon. Gentleman had been properly backed up they would have had a very different Bill, and a very different finance from that finance which, he ventured to think, the more it was considered the less it would redound to the credit of the Government. What had been and what was the proposal of the Government? They were evidently conscious that in proposing the transfer of these very large sums from Imperial to local taxation they must be careful so to guard it, lest, as in former cases, while increasing the burden of the Imperial taxpayer, they gave no permanent relief to the local ratepayer, owing to the greater laxity of expenditure which it encouraged; and they sought, and he thought most wisely sought, to guard against the greatest danger of lax expenditure in outdoor relief. It was useless to tell the House, as the right hon. Gentleman the Chancellor of the Exchequer did, that this plan was proposed without any view of promoting good administration, but solely as a means of distributing fairly the grants in aid of the local taxation. He knew, as was stated in a recent pamphlet of Sir Charles Dilke's, that every Government which had proposed to reform Local Government proposed to adopt this plan as a means of promoting sound administration, and the President of the Local Government Board, having the courage of his convictions, boldly defended it on that ground. It was difficult to reconcile, as he (Mr. Rathbone) should like to reconcile, confidence at once in the financial ability and in the perfect frankness and candour of the deliverances on this question of the Chancellor of the Exchequer. As a mere mode of distributing the grant, the plan first proposed was full of perfectly indefensible anomalies. Its only valid defence was as in favour of good administration. By the course now proposed, the Government had left their supporters absolutely without the means of defence. Had they persisted in even a modification of their plan on the ground of sound finance, as they might easily have done, they would have found many people in this country who would have admired their courage and done justice to their endeavours to protect at once the character and material prosperity of their countrymen. Now, they would be as much exposed as before to have political capital made out of their proposal, with the additional and just accusation that they had let "I dare not 'wait upon' I would," like the poor cat in the adage. They might easily have rectified much more effectually the inequalities of their original proposal by dividing one-half the proposed grant by population. But just contrast the two proposals. Their original proposal was to give the subsidy somewhat in proportion to careful expenditure; their present proposal was to give it in proportion to amount of expenditure; those who had spent most, and therefore claimed most under the grants, were in future to receive most. This Bill gave an enormous sum to the Local Bodies, distributed as a premium, as it were, on previous local expenditure and an encouragement to rash and careless expenditure in the future. Call that a great measure! No doubt, the Bill

was a skeleton which might be clothed afterwards in flesh and blood and made a great measure by a firm and courageous Government. But what could they expect from a Government who showed themselves weak and improvident in their financial proposals, and who, on the one hand, gave these large grants without applying any precautions, and, on the other hand, gave to the ratepayers no additional powers or opportunities of watching or controlling the expenditure which was laid upon them? —for certainly their proposals as to Local Councils neither consolidated, simplified, nor made it possible for the ratepayers to interest themselves intelligently in the actions of those who were governing and taxing them. The Bill, as proposed, was not, financially or otherwise, a Bill for the reform of Local Government. It was a vast political playbill drawn to pass and not to work, presuming on the ignorance and credulity of the British ratepayers; an attempt to buy the constituencies by large grants and dish the Radicals, as Mr. Disraeli tried to dish the Whigs, by outbidding them in democratic proposals. He ventured to think it would prove an equal failure. They were now only dealing with finance; but, practically, finance was at the bottom of Local Government, and to a certain extent a test of its importance, and when he alleged that this Bill was not a Local Government Bill, but only a fringe of one, he had only to point out to the House that it was the Local Authorities, or, as called in the Bill, District Authorities—exclusive of the Metropolis—that had the expenditure and administration of 13-15ths of the sum raised by rates in this country. It was evident, therefore, that the County Council would control but a small fraction of the expenditure, and exercise a small part of the administrative duties connected with Local Government; and that, therefore, when they formed the County Councils and had given them their funds and their duties, they would have only dealt with a very small fraction of Local Government, and have left all that on which our health, our education, the maintenance of our poor, and the care of our population, would so greatly depend. Therefore, that was the main part of Local Government; but it was just the part which this powerful Government, with so much to give and such a majority at their back, had not dared to touch, but abandoned at once, the moment they found the smallest risk of incurring any unpopularity, however small. A Chancellor of the Exchequer prepared to give £3,000,000 in relief of the ratepayers, and, in accordance with the principles he had himself taught them, to relieve them of one-half of the rates, in justice to the poor and in protection of property, might have brought forward a Bill carrying out in the boldest manner his own idea of sound legislation, and no one knew better than he did what was a sound local reform—and might have defended and carried it through the House with the support of honest men on every side of it. But if, when the Local Councils Bill came before the House next year, they found an equal want of courage and adherence to principle, the reputation the right hon. Gentleman once had had for courage and firm adherence to sound principles in finance and administration would have been utterly wrecked. He (Mr. Rathbone) had made those remarks with great pain and under great disappointment. He should only be too glad if, when the real Local Government Bill appeared next Session—if it did so appear—it would be found the right hon. Gentleman had taken courage to carry out those sound principles of rating and administration which, 20 years ago, they learnt from his teaching, but which they could not so easily discard, as it had been a bitter disappointment to find that he was prepared to do.

Mr. JAMES STUART (Shoreditch, Hoxton) said, he rose for the purpose of moving the rejection of the clause, and he should go to a Division unless the right hon. Gentleman made some concession in the direction he proposed. He was glad that the right hon. Gentleman had thrown over the question of outdoor relief as a basis for the distribution of the grant. The point of view from which he regarded the grant was that of the Metropolis. The basis on which the right hon. Gentleman first proposed to give the grant was not of great advantage to the Metropolis; but, in consideration of other advantages, they were willing to waive their objections. The present scheme was, however, so unfavourable to the Metropolis that he desired to lay before the House the relative positions of London

and the country on this matter. How would the County of London be affected by the proposed financial change as compared with the rest of England and Wales? The country, exclusive of the Metropolis, was going to receive from various allowances the sum of £2,559,000 per annum, in addition to £1,372,000 per annum, which was its share of the Probate Duty, making a total of £3,931,000. On the one hand, it used to receive in aid of the local rates a sum which was a little short of £2,000,000 a year. Consequently, the country would now receive an additional sum of £1,931,000 in aid of the local rates, which was equivalent to a rate of 4*d.* in the pound. On the other hand, the Metropolis, which used to receive £624,000, would now receive £855,000—that is, an additional sum of £231,000—which was equivalent to a rate of 1¾*d.* This would inflict a great injustice upon the Metropolis, which had to suffer from an influx of pauperism from the whole Kingdom. He should divide the House upon this clause unless the Government would accept his proposition that before the different shares of the Probate Duty were allocated throughout the country the sum of £250,000 a-year should be first appropriated in aid of the local rates of the County of London, or some other equivalent proposition. He made this calculation altogether irrespective of the Van and Wheel Tax; but that tax could not, in any event, rectify the matter. He was astonished that the right hon. Gentleman, who was aware of the needs of London, should have brought forward a proposal so disadvantageous to the Metropolis, and particularly that such a proposal should have emanated from the other side of the House, where London was represented by five-sixths of its Members.

MR. ELTON (Somerset, Wellington) said, no doubt, the first proposal of the Government was honest and straightforward, but subsequent discussion had disclosed the fact that it was a proposal of a most inconvenient nature, and likely to be attended with injustice to the aged and deserving poor. When that was pointed out to the Government they had to consider whether they ought, with somewhat pedantic accuracy, to hold to their opinions, or whether they should depart from them. It was with great pain that some hon. Members heard the original proposal put forward. No amount of friendship for the Bill would have enabled them to get over that defect; but the Government had shown great courage in altering their opinion on the point.

MR. SHAW LEFEVRE (Bradford, Central) said, whilst he admitted that the proposal of the Government met certain of the objections made to the Bill as originally introduced, yet he thought it was not altogether satisfactory, and that it would introduce further inconsistencies and inequalities which ought to be called attention to, and which he hoped the Government would meet. He was glad to think that the test of indoor pauperism had been abandoned; it was an unwise principle to introduce in distributing the grants. The financial effect of the present proposal would tell somewhat hard in appearance on London. The original proposal was, in his opinion, most favourable to London. [Mr. JAMES STUART: No, no!] The right hon. Gentleman said that it was the only way which could be devised by which London would get as much as it was entitled to. It was the only basis and principle which would have given London so much in proportion to other districts. The present proposal would reduce the amount to be given to London by £108,000 a-year, and if that sum were distributed amongst the poorer counties of England it would be satisfactory to that side of the House. It was considered that Wales and the Western counties of England were unfairly dealt with in the original proposal. But the effect of the present proposal was not to benefit so much the poorer districts as to give more to some of the wealthier districts. The present proposal would increase the grant to Middlesex from £22,000 a-year to £48,000. That seemed to him to be an unjustifiable increase. In the case of the West Riding of Yorkshire, leaving out the county boroughs, the increase would be £25,000 a-year, or 50 per cent in excess of the original proposal. In Wales, on the other hand, the increase was a very small one. Wales, under the original proposal, would get £50,000 a-year. If the distribution were made according to rateable property it would get £74,000; and if according to popu-

lation, about £94,000 a-year. The present proposal would give it an addition of £14,000 a-year, or a total of £64,000. He did not think that this was a satisfactory solution of the difficulty. Then it was found that considerable inequalities were introduced as between one place and another. Birmingham, under the present proposal, would lose £8,000 a-year as compared with the original proposal; Lancashire would lose £12,000 a-year, and Warwickshire £7,000 a-year. These inequalities seemed to show that the present basis of the proposal could not be entirely maintained. He therefore urged the Government to reconsider the question, and whether it would not be better to adopt the principle of rateable value or population? He believed the principle of population would be the better and sounder basis to adopt; but he admitted the difficulties which the right hon. Gentleman would labour under as regarded London, and therefore he suggested whether it would not be better to adopt rateable value as the basis instead of the present proposal?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, the House would observe that while the Government were charged from one quarter with unduly favouring the Metropolis, they were told from another that they had not favoured London sufficiently. The argument of the right hon. Gentleman who had just sat down was that London would get too much by the present proposal.

MR. SHAW LEFEVRE: I did not say that. I said that, on the whole, the proper basis would be population; but that that would bear somewhat hardly upon London.

MR. GOSCHEN said, that if they took the population basis London would receive hardly any benefit from the re-adjustment of local taxation. This would be treating the Metropolis with injustice. The fact was, his right hon. Friend (Mr. Shaw Lefevre), who had suggested that London was getting too much, urged a re-arrangement by which London would get nothing at all. Then the hon. Member for the Hoxton Division of Shoreditch (Mr. James Stuart) thought that the Government were treating London shabbily. Now, London under the present re-arrangement would, no doubt, get a less rate per pound than the remaining portion of the country. This arose from the fact that London in the past received a very much larger share in the way of contributions than any other part of the country. The consequence was that, these contributions being withdrawn, any system would be comparatively unfavourable to London. He ventured to put it to the House that, whatever basis they took, it would always be possible for hon. Members from different parts of the country to point out that their constituencies would suffer by its adoption. He thought it must be frankly admitted that the present change which the Government proposed had met, to a great extent, the objections which were brought against the previous proposal. The right hon. Gentleman opposite had pointed out that Wales, for instance, would gain under the new proposal. He also said that Middlesex would gain 120 per cent. But why? Because under the previous proposal Middlesex gained absolutely nothing, and the county was worse off than before. While other parts of the country would have gained, Middlesex would have lost ½*d.* in the pound compared with her position before. They now dealt with Middlesex in a fairer way; but still the rate per pound gained by that county would not be anything like that gained by other parts of the country. Did Middlesex get more than it was fairly entitled to in comparison with the rest of the country by the re-arrangement? It did not. Then, again, Staffordshire and Warwickshire under the previous proposal would each have gained 5*d.*, and now each got 4½*d.* They lost under this particular proposal as compared with the other, but they were still above the average. In this matter individual cases must not be looked at, for it was impossible to frame any scheme which would be satisfactory to all. The Government had done their utmost to meet the House of Commons. They had retreated from the proposals which they previously put before the House, and he hoped that the House would not go into every individual instance in which some hardship might be shown. The Government had endeavoured to strike a fair line between the various classes of objectors. This point was extremely important—namely, that by the present proposal the poorer Unions of London

would gain very much more than the richer Unions. London under these arrangements would not lose, but it would gain less. As he had said, no system could be entirely satisfactory, and it was highly possible that it might be necessary to revise this matter in the future. He hoped that the House would not continue too long to discuss the differences in individual cases which the Government acknowledged, but which could not be remedied by the adoption of any system.

MR. J. CHAMBERLAIN (Birmingham, W.) said, he sympathized entirely with the difficulties under which the Government, and especially his right hon. Friend the President of the Local Government Board, laboured in this matter; and he could not associate himself with the blame which his hon. Friend the Member for the Hoxton Division of Shoreditch (Mr. James Stuart) had endeavoured to attach to them. He thought that the Government had made an honest effort to meet the wishes which were expressed in a previous debate and to make a fair distribution. But he might say that the moment some of them began to get the delicious morsel which the previous arrangement gave them between their teeth, the Government snatched it away from them. He would endeavour to follow the lesson given by the right hon. Gentleman the Chancellor of the Exchequer, and to argue the question from an entirely impartial and disinterested standpoint. He would not refer, therefore, to the case of Birmingham, except to say that it was peculiarly martyred by the new arrangements. Under the scheme originally proposed Birmingham would have received £34,000, but the Government had now cut them down to the miserable stipend of £26,000. Under the original proposal of the Government London was to receive £536,000 and now only £458,000, so that London naturally complained; and now the right hon. Gentleman the Member for Central Bradford (Mr. Shaw Lefevre) proposed that London should receive, on the basis of population, £360,000, or, on that of rateable value, £260,000, so that London would not be grateful for the advocacy of his right hon. Friend. The original proposal, which would have given the largest sum, would have been the best, because it would give to London and large towns according to their needs, while the new proposal would give according to their extravagance. The need was greatest in large centres of population crowded with the influx of people generally in poor circumstances. He objected altogether to the new arrangement. As a rule it would give the largest grant to the richest counties that would be best able to dispense with subsidies. The proposal was based on the assumption that the present proportion was a fair one; but that had not been discussed at all, because they were satisfied that the Government at first made a proposal that was fair all round. If the proposal now made were fair to-day, it would not continue to be so, and the question arose how was the necessary revision to be made from time to time? He wished the virtue of the House had been sufficient to justify hon. Members in pressing the Government to adhere to their original proposal. The arguments which had been used would have justified the continuance of the old Poor Law and of a system which was rapidly ruining many country districts and some boroughs before the new Poor Law was passed. The Government had made their second proposal not because it was the best, but because pressure had been put upon them. It would obviate the evident injustice of the new proposal if account were to be taken, not merely of indoor pauperism, but of outdoor pauperism as well.

SIR WILLIAM HARCOURT (Derby) said, he would not object to this solution, but, as one who was strongly opposed to the grant being made on the basis of indoor pauperism, felt bound to support the Government in their alternative proposal. He believed if this money had been given in regard to indoor pauperism alone the arrangement would have been extremely unpopular in the country. If it were possible to have made the distribution on the joint basis of outdoor and indoor relief he should be satisfied, but he supposed the Government had some reason for not adopting that proposal. We did not desire to return to the state of things in olden days. He did not believe that in the rural districts outdoor pauperism had been largely abused. He did not say there were not districts in which it had been, but he was not acquainted with them; and, in those he was ac-

quainted with, outdoor relief had not been given to able-bodied people nor in aid of wages, but it had been given to widows and to men who were bedridden and incapable of work, and it was right it should continue to be given to them. He would be no party to returning to the original proposal of the Government; he would rather take their new proposal. It was true that it gave to those who had, because if they had been extravagant they would get more; but the general effect of the distribution was to give to the counties more than they had before.

MR. LAWSON (St. Pancras, W.) said, that the right hon. Gentleman the Member for the Central Division of Bradford (Mr. Shaw Lefevre) was not to be accepted as an exponent of the views of the Members for the Metropolis. London Members had great reason to complain of the invertebrate conduct of the right hon. Gentleman the President of the Local Government Board; he had thanked them for their assistance in passing the London Clauses, and this was their reward. By this scheme nearly every other county would lose, and the Metropolitan ratepayers would have to pay the piper. The burdens of London ratepayers were exceptionally heavy, as the returns of local taxation for the relief of the poor showed, and they ought not to be called upon to make sacrifices for Wales or other parts of the country. It would be a test of the moral fibre of the Conservative Members for the Metropolis whether they dare oppose the Government on this point.

MR. HENRY H. FOWLER (Wolverhampton, E.) said, he regretted that the question was being debated as one between London and the country. There was a good deal of confusion about London gaining or losing; but there was no gaining or losing. It had received exceptionally large grants; the License Duties it would receive would not be equivalent to them; and there would be a deficit in this respect, whereas in other places there would be an excess. The Government had departed from the principle which they at first laid down—namely, that of measuring by pauperism the amount of relief to be given to localities. In his opinion that proposal would meet with general acceptance. The Opposition side of the House had never objected to that proposal; their objections were entirely based on the fact that only the cost of indoor relief was taken into account. The best course for the Government to adopt would be to accept the suggestion of the right hon. Member for West Birmingham, and distribute the grant from the Probate Duty according the cost of both indoor and outdoor relief in the different counties.

MR. W. F. LAWRENCE (Liverpool, Abercromby) said, it seemed to him the great advantage of the present proposal was that it put pauperism altogether out of their thoughts. He was one of those who entirely sympathized with the views of the right hon. Member for Birmingham (Mr. J. Chamberlain). He had himself in some measure endeavoured to carry out the principle of strict administration of the Poor Law, which, he thought, was absolutely essential to the good of the people. Therefore, when the original proposal of the Government first came before that House, he ventured to say that it would have the effect of hampering the movements of those Poor Law reformers who had sought to administer the Poor Law strictly and faithfully. He was glad to see that the Government had brought in the scheme now before the House, which, although it might contain many anomalies, enabled these reformers to go on their way administering Poor Law relief on a sound and sensible basis.

MR. ARTHUR WILLIAMS (Glamorgan, S.) said, that when a number of Members from a particular district of the country found that the method of distribution proposed was going to do an injustice to their district, they were bound to meet together and consult, and submit their case to the House, and that was what the Welsh Members had ventured to do. They found that under the first proposal of the Government, which the Welsh Members resisted most strenuously, with, he was grateful to say, the assistance of several influential Members of the House, Wales and Monmouthshire would get £63,000 a-year. According to this second proposal they would get the increased sum of £79,000, but when they came to consider the proportion they would get under another method of distribution, they found that the sum would be considerably more. Indoor pauperism had been discussed and rejected; but supposing they rejected

both indoor and outdoor pauperism, and apportioned the grant on the amount of money spent throughout the country in counties on the relief of the poor, what would they find then? He believed, if the Government adopted that plan, they would do away with many of the injustices which would be inflicted by the system now under consideration. He had only had time to work out the figures in respect of Wales and Monmouthshire, and he found that the sum they would receive under the method of distribution he proposed would be increased from £79,000 to £107,000. He would have liked to have urged that method on the Committee, but he had not had time to work out the figures for England. Since then an hon. Member had worked out the figures with regard to the whole of the Kingdom, and from what he had seen of those figures he was persuaded that with reference to every county in England, and even London itself, this method would be a more just and equitable one than that proposed by the Government, or than any other method he had seen suggested. He thought the Government would do well, before they hastily adopted the plan they were now proposing, to consider whether it would not be better to ask the sanction of the House to submit the whole question of the distribution of the money to the Commissioners who would be appointed for the various functions under the Act. If they were not to have something better than the scheme submitted by the Government this evening, he would much prefer that the Commissioners should consider the whole matter, and report upon it to the House, and that a scheme should then be decided upon.

MR. RITCHIE said, the Government always anticipated that, having £1,800,000 to dispose of, there would be a considerable amount of wrangling —he did not use the word in an offensive sense—as to how the plunder was to be distributed. They believed that their original proposed was the soundest all round that could be made. But however sound the principle might be, it would undoubtedly have done injustice in some parts of the country which had adopted a different mode of indoor relief. The Government saw that the working of that principle, however sound, would lead to some injustice, and they endeavoured to find another system, and he believed the system they now proposed would work more fairly. Hon. Gentlemen had said that it was a premium upon extravagance. The Government did not regard it as being so. With reference to all the expenditure, the Government had a certain amount of control. Taking the question of the officers of the Union, the Local Government Board had a certain amount of control with reference to the appointment of officers and their salaries. Moreover, one great argument in favour of this proposal was that the County Councils would have to pay these grants in aid again to the various districts. It might be that at some time the whole system would have to be reconsidered; but if the Government had embraced a scheme of local taxation reform in this Bill, the difficulties of passing it would have been enormously increased. As to the extravagance argument, the suggestion to distribute the grant on indoor and outdoor pauperism was indeed a premium on extravagance, and would be giving effect to a principle which every Poor Law reformer had set his face against. There was nothing he could conceive that would be more likely to prove an engine of extravagance than this recognition of outdoor pauperism in the distribution of the grant. He would give the House one instance. In Wales the cost of maintenance per head of population for indoor relief was 8*d.*, precisely the same as the Northern District of England. But the cost of outdoor relief in Wales was 3*s.* 5*d.* per head, while in the Northern District of England it was 1*s.* 8*d.* According to the population, the expenditure was clearly greater in outdoor relief in one district than in another. He did not say that that was conclusive; but it showed that the administration was bad either in the Northern District of England or in Wales. It was said that London would suffer under the proposed system. That was caused by the large amount of grants in aid, which would cease. It might well be that a very considerable proportion was caused by the Imperial nature of the duties of the police of London. He thought it was a very fair subject for consideration as to whether, before going carefully into the expenditure and the cost of the London police, some conclusion might not be

arrived at in the course of a year by which the grievance might be remedied. He would point out that the poorer parts of London would gain. Having gone away from the principle of indoor pauperism, the House could not expect any other which was likely to be more satisfactory than the one now proposed.

MR. J. ROWLANDS (Finsbury, E.) said, he felt bound to oppose the clause.

MR. BAUMANN (Camberwell, Peckham) said, he regretted that he could not support the Government on this occasion, but must vote for the Amendment.

Question put.

The House *divided*:—Ayes 251; Noes 87: Majority 164.—(Div. List, No. 234.)

Amendment proposed to the Clause, in line 4, after "England," insert "and Wales."—(*Mr. T. E. Ellis.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he was willing to accept the Amendment.

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he must protest against the acceptance of the Amendment, as favouring a fancied demarcation which would be turned to use by Home Rule politicians. If it were the case that the word "England" in an Act of Parliament covered Wales, he did not see why it should be treated as separate.

MR. OSBORNE MORGAN (Denbighshire, E.) said, it was quite true that an Act of Parliament for England included Wales without special mention. It was that which was galling to them. It was, he maintained, better to make some sacrifice to sentiment in this matter.

MR. RITCHIE said, he accepted the Amendment, because the title of the Bill mentioned Wales.

Question put, and *agreed to.*

MR. T. E. ELLIS (Merionethshire) said, he begged to move an Amendment the object of which was to vary the new clause already carried, so that the distribution of the probate grant should be made to the counties in proportion to population. The best test and measure of the needs of any part of the country was the amount of population. According to the present allocation proposed by the Government of the whole grant made to the counties from the Imperial Exchequer, Wales and Monmouth would only receive about £230,000. If the grant was distributed according to population, Wales and Monmouth, whose population was about one-sixteenth of that of England and Wales, would receive about £296,000. She would thus lose about £66,000 annually of the Probate Duty grant alone. Wales and Monmouth would, according to the present proposal of the Government, receive £79,400, whereas according to the test of population she would receive £108,500. These figures, he thought, were sufficient to justify his interposition. He wished the Government would accept his Amendment or that of the hon. Member for Glamorgan, and thus do a simple act of justice to the Principality.

Amendment proposed to the Clause, in line 5, to leave out from the words, "to the," to the end of the paragraph, in order to insert the word "population."—(*Mr. T. E. Ellis.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. RITCHIE said, the Government could not agree to the Amendment. Under it Wales would gain to the extent of 3*d.* in the pound, and London would gain one halfpenny, and the gain of Wales as compared with the rest of the country would be 5*d.* as against 3½*d.* in the pound.

MR. STUART RENDEL (Montgomeryshire) said, he should support the Amendment.

Question put.

The House *divided*:—Ayes 155; Noes 89: Majority 66.—(Div. List, No. 235.)

Amendment proposed to the Clause,

In line 11, after the word "direct," to insert "In the case of the six counties of South Wales and the Isle of Wight there shall be added to the amount actually received out of such grants as aforesaid such additional sum as the Local Government Board certify to be the amount which each of the said counties and the Isle of Wight would have received if the roads maintained by the county roads boards had been main roads."—(*Mr. Arthur Williams.*)

MR. RITCHIE said, he was rather unwilling to accept an Amendment not on the Paper, but he gathered from the

language of the Amendment that what it did was this. Tolls were now being abolished in the Isle of Wight and in South Wales, and if these had been abolished before, a certain grant would have been made from the Exchequer in aid of those roads. The tolls were now to be abolished, and the hon. Member proposed that, in considering the amount of the grant to the South Wales counties, consideration should be had to what would have been the grant under ordinary circumstances for the maintenance of these roads. On the whole, he would advise the House to accept the Amendment.

MR. ARTHUR WILLIAMS said, the right hon. Gentleman had correctly described the object of the Amendment.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, that it would be necessary to insert the words "or Highway Commissioners," after "County Board," in the Amendment.

Amendment made to the said proposed Amendment, by inserting after the words "roads boards," the words "or the highway commissioners."—(*Mr. Attorney General.*)

Words, as amended, inserted in the Clause.

Amendment proposed to the Clause, after the last Amendment, to insert the words—

"Provided, that before such distribution shall be made in the proportion as aforesaid, there shall be a sum of two hundred and fifty thousand pounds paid over from the proceeds of the probate duties to the county of London, and such sum shall be dealt with by the county of London as part of the probate duty grant."—(*Mr. James Stuart.*)

Question proposed, "That those words be there inserted."

MR. GOSCHEN said, he trusted that the hon. Gentleman would not think it necessary to press his Amendment to a Division. He entreated the hon. Member, as a Metropolitan Member, not to raise in such an acute form the financial relations of the Metropolis and the rest of the country. It had often been urged that the Imperial expenditure on London should be reconsidered, and his right hon. Friend had undertaken that, so far as the police were concerned, and generally, the matter would be reviewed. There was no desire on the part of the Government to be unjust to London; but it was felt that it was a dangerous question to raise a feeling in all other parts of the country that the Metropolis would wish to secure too large a share.

MR. LAWSON, in supporting the Amendment, said, the extra cost of the Metropolitan Police justified the request of the hon. Member for the Hoxton Division of Shoreditch.

Question put, and *negatived.*

Clause, as amended, *added.*

Clause (Grant by county council towards costs of officers of union,)—(*Mr. Ritchie,*)—*brought up*, and read the first and second time, and *added.*

Clause (Grant by London council to poor law unions,)—(*Mr. Ritchie,*)—*brought up*, and read the first and second time; amended, and *added.*

MR. HOBHOUSE (Somerset, E.) moved a clause giving power to County Councils to promote and oppose Bills in Parliament, being, he explained, a similar power to that which every municipal borough and Local Board has under the Borough Funds Act.

Clause (County council to have power to promote and oppose Bills in Parliament,)—(*Mr. Hobhouse,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he regretted that the Government felt themselves unable to accept the proposed clause. Surely they ought to allow some time for these County Councils to get formed, in the first instance, before they placed such powers at their disposal. Those powers, he believed, must in due course follow to such powerful and influential Bodies as the County Councils would be; but it was not necessary to give them at the very start. The Government, however, would meet the hon. and learned Member to a certain extent by accepting a clause in the name of the hon. Member for North Somerset (Mr. Llewellyn), giving the Council power to oppose but not to promote Bills, if the hon. and learned Member would withdraw his Amendment.

MR. HOBHOUSE expressed his willingness to withdraw.

MR. J. ELLIS (Leicestershire, Bosworth) said, he was sorry that the Government did not see their way to give this power at once. They would never get good County Councils unless the House granted them the power proposed to be given by the clause.

SIR JULIAN GOLDSMID (St. Pancras, W.) said, he regretted that the Government were not prepared to accept the clause. It was absolutely necessary that the new county Bodies should have the power to promote Bills. The time would come when an amending Bill would be introduced in order that this power which was now refused by the Government should be given, and he saw no reason why it should not be granted at once.

VISCOUNT WOLMER (Hants, Petersfield) said, he wished to point out that several subjects had been left over to be dealt with next year, and he was extremely disappointed that the right hon. Gentleman did not see his way to deal with the question now.

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe) said, he was glad to know that the Government were prepared to give the County Councils the necessary power to oppose Bills. The effect of the clause was that the County Councils could only promote a Bill once in three years. The greatest possible precautions were taken against the County Councils going into any form of extravagance in the way of promoting Bills in Parliament. This was a carefully guarded clause, and admirably drafted. The more they limited the duties of the County Councils, the more they prevented good men from offering themselves. He thought they were shutting out County Councils unnecessarily from a useful and desirable power. The clause was a very ingenious way of meeting the difficulties which were made when this matter was discussed in Committee. He should support the clause of his hon. and learned Friend, and he hoped the Government might yet see their way to accept it.

MR. RITCHIE said, that his right hon. Friend the Chancellor of the Exchequer had explained the reason why the Government did not think it wise to accept the new clause. The whole question of the power to propose Bills was one which must come up before long for consideration, and he thought it undesirable to accept the clause now before the House. The restrictions imposed by the clause were of such a very severe character that they rendered it comparatively useless.

MR. WOODALL (Hanley) said, that recognizing the fact that the Government were deeply pledged to deal with the whole question of the powers of Local Authorities, he would recommend that the clause should not be pressed to a Division.

MR. FIRTH (Dundee) said, he thought it was open to argument whether, as matters stood, County Councils would not possess the powers the clause proposed to give them.

MR. HENRY H. FOWLER said, that as the Government had made a valuable concession, that the County Councils should have power to oppose them, he would indorse the suggestion that the clause should be withdrawn.

Motion, and Clause, by leave, *withdrawn.*

MR. WOODALL (Hanley) rose to move a new clause to save from the operation of the Bill rights and privileges enjoyed under charters, local Acts of Parliament, and orders confirmed by Act of Parliament.

Clause (Saving for Charters, Local Acts, &c.,)—(*Mr. Woodall,*)—*brought up*, and read the first and second time, and *added.*

MAJOR DICKSON (Dover), in moving the insertion of a new clause, providing that certain districts named in the schedule, for the purposes of this Act, form a separate county by the name of the county of the Cinque Ports, said, he had received an intimation that it was the intention of the Government to oppose this clause. He had placed it on the Paper at the request of 10 Corporations and three Local Boards. It had the approval of the Lord Warden of the Cinque Ports and of the Justices of the County of Kent, who had petitioned in its favour. He was at a loss to understand on what grounds Her Majesty's Government could oppose this proposal when looked at in the light of the proposals already agreed to. The Cinque Ports had from time immemorial been recognized by the Sove-

reign and by Parliament as counties, and they had Charters, liberties, and privileges given them because they were counties. It seemed unwise and unjust, therefore, to deprive them of a privilege which they had so long enjoyed. These ports were situated not far apart, and they had everything possible in common among themselves, and absolutely nothing in common with the agricultural and rural population around them. The ancient traditions and history of the Cinque Ports ought to command the sympathy of the House, and he, as a humble Representative of one of them, asked that they should be allowed to enjoy the privileges which they had possessed for centuries, when it could be done without violating the principles of the Bill.

Clause (Application of Act to Cinque Ports,)—(*Major Dickson,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

SIR EDWARD WATKIN (Hythe) said, that as a Representative of one of those ancient ports which had the privilege of self-government or Home Rule in consideration of duties imposed upon them in defending the Channel and the coast, he begged to support the Motion of the hon. and gallant Member for Dover (Major Dickson). That hon. and gallant Gentleman represented in this matter the unanimous opinion of a number of towns with a population of 100,000, and a united assessment of £700,000. These towns wanted to be allowed confederation, not only in their own interest, but in the interest of the country. They had a sea boundary connecting them together in a way in which no other towns in this country were connected, and they were not only unanimously but most earnestly in favour of the proposal of the hon. and gallant Member. The House would be surprised at the unexpected resistance of the Local Government Board, and of the right hon. Gentleman who had refused to agree to any compromise. A deputation, headed by the Lord Warden (Earl Granville), had gone to the Local Government Board, but up to that moment he believed there had been no distinct answer in writing from the right hon. Gentleman to the representations made to him. Canterbury, with a population of 20,000 or 22,000, had been erected into a separate county, because it was said to be surrounded by ancient traditions, and to have been a county of a town; but here were places with a total population of 100,000 and with ancient traditions, and exemption from county jurisdiction also.

MR. KNATCHBULL-HUGESSEN (Kent, Faversham) said, he desired to support the proposal of the hon. and gallant Member for Dover. They were not asking the House to carve out any new district. The district was formed already, and had its own customs, rights, and organization, dating from time immemorial. He might mention that a committee of the magistrates of Kent had unanimously petitioned in favour of the proposal now made.

MR. RITCHIE said, he could not ask the House to accept the clause. The Cinque Ports were scattered over a wide area, and included municipal boroughs, local government districts, and parts of parishes separated from one another by many miles of country. To accede to the proposal, in those circumstances, would be to effect a disintegration instead of a consolidation of local government. It had been said that Canterbury had been set up as a county, and that was pointed to as a precedent. But the Government had not set up Canterbury as a county of a city; they had only preserved it as such. From time immemorial Canterbury had been a county of a city. Eight or nine other counties of cities with smaller populaions had not been allowed to retain their position. The Cinque Ports had undoubtedly enjoyed a separate individuality for many centuries, and this they would, to a great extent, retain. The powers of the Lord Warden and of the Justices of the Ports would not be interfered with, and other ancient rights would be preserved. The argument that the Cinque Ports should be welded together for rating purposes and purposes of local government was not worth much, for they had never as yet been connected together for those objects.

MR. BROOKFIELD (Sussex, Rye) said, the places included in the scheme together formed a continuous coast line from Seaford in Sussex to Birchington in the county of Kent. The right hon. Gentleman the President of the Local Go-

vernment Board, in answer to representations made to him at different times in regard to many of the localities, had expressed himself as disinclined to rudely disturb any sentimental tradition. He thought it would be acknowledged that the sentimental claims of these places were very strong indeed, especially when consideration was had to the privileges that they enjoyed. He did not think that the sentimental claims, however, were by any means the strongest that could be used. He very much questioned whether the hon. Member for Hythe would be suspected of having merely sentimental views before him. He thought the hon. Gentleman might be taken as one who held profoundly practicable and commercial views on the question, and it was in that light that he (Mr. Brookfield) ventured to approach the subject himself. The representations that had been made to him on the subject were mainly from the Cinque Ports, and were all in favour of the change. No representations had reached him from the inland rural districts in the contrary sense, and he thought the strongest reason that could be adduced, and one which he hoped had been urged in the course of the discussion, was the fact that they had the nucleus of a new locality ready to hand. That measure was one which brought into existence new local areas, new men, and new systems, all of them untried; but in the Cinque Ports they had ready to hand this ancient Corporation or collection of places, with, to a certain extent, a government already in working order. The reason for which these changes were chiefly demanded were prosaic and financial ones. It might be urged that the inland rural communities might object to the Cinque Ports deriving the advantages of the newly assessed places, but as far as his own district was concerned that was not the case, as the two ancient towns of Rye and Winchilsea were not very prosperous places, and were more likely to be a burden upon the newly-constituted County Councils from a ratepayer's point of view than to be of any financial benefit to them. He thought there was an argument—perhaps a somewhat fanciful one—which would have been mentioned. It was this, that in the case of war the Cinque Ports would undoubtedly occupy exactly the same position with regard to the aggressors as they did many hundred years ago. The result would be that in the case of hostilities being threatened they would probably have the privilege of making a very large local expenditure in addition to the Imperial aid which might be offered to them, an ancient privilege which he did not think the inland rural communities would desire to share. He was afraid that the President of the Local Government Board had been rather discouraging in the reply he had given, but they had never seen him on important occasions of this kind change his mind, and if there should be lingering in his mind at that moment any doubt as to making the concession after all, he trusted that the right hon. Gentleman the President of the Local Government Board would give the benefit of the doubt to those in whose favour it had been asked.

Question put.

The House *divided:*—Ayes 50; Noes 181: Majority 131.—(Div. List, No. 236.)

Clause,—

(Council to have power to oppose Bills in Parliament.)

"The county council of an administrative county shall have the same powers of opposing Bills in Parliament, and of prosecuting or defending any legal proceedings necessary for the promotion or protection of the interests of the inhabitants of the county, as are conferred on the council of a municipal borough by the Act of the thirty-fifth and thirty-sixth years of Victoria, chapter ninety-one; and subject as hereinafter provided the provisions of that Act shall extend to a county council as if such council were included in the expression 'governing body,' and the administrative county were the district in the said Act mentioned.

Provided that—

(a.) No consent of owners and ratepayers shall be required for any proceedings under this section;

(b.) This section shall not empower a county council to promote any Bill in Parliament, or to incur or charge any expense in relation thereto,"—(*Mr. Llewellyn,*)

—*brought up*, and read the first and second time.

Amendment proposed to the Clause, in line 1, after the words "an administrative county," to insert the words "other than London."—(*Mr. Baumann.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Clause *added.*

Amendments made.

MR. SYDNEY GEDGE (Stockport) moved an Amendment, the object of which, he said, was to deal with the office of Alderman or selected Councillor. He said, that the avowed object of giving to the elected Councillors the selection of others, was the introduction into the Council of men of position and authority who would not undergo a popular contest. But this object was defeated by the course adopted in the Bill of giving to the selected men higher dignity and longer tenure of office. Of course, if 30 men had to select 10 Aldermen, whose term of office was to be twice as long as their own, they would not go outside for them, but would select some of their own body. Experience had shown that Aldermen were almost always selected from inside the Common Council. Thus, the good men were not brought in from outside. A man was selected whose seat was safe for another man of the same political colour, and that constituency was doubly represented, and it was put to the expense of a second election. He, therefore, proposed that the selected Councillors should have no distinguishing title and no precedence, and that their tenure of office should be the same as that of the Common Councillor. But in order to secure continuity of policy, he proposed that all alike should serve for four years, but that one-half should go out of office in every alternate year.

Amendment proposed, in page 1, line 27, to leave out sub-section (c.), and insert—

"(c.)—(1.) The term of office of a councillor shall be four years;

(2.) On the ordinary day of election of councillors in every alternate year one-half of the whole number of councillors for the county or for the electoral division, as the case may be, shall go out of office, and their places shall be filled by election;

(3.) In the first year in which any councillors shall go out of office, the half to go out shall be determined by ballot, and afterwards the half to go out shall be the councillors who have been longest in office without re-election;

(d.) In this Act the councillors elected by the council are called co-opted councillors, and the other councillors are called county councillors;

(e.)—(1.) On the ordinary day of election of co-opted councillors in every alternate year, one-half of the co-opted councillors shall go out of office, and their places shall be filled by election by the council;

(2.) In the first year in which any co-opted councillors shall go out of office, the half to go out shall be determined by ballot, and afterwards the half to go out shall be those who have been longest in office without re-election;

(3.) A co-opted councillor shall not vote in the election of a co-opted councillor."—(*Mr. Sydney Gedge.*)

Question, "That the word 'The' stand part of the Bill."

MR. RITCHIE, in opposing the Amendment, said, that the Government, having determined to admit the Aldermanic element, felt bound to adhere to their original proposal—namely, that the County Councillors should be elected for a term of three years, and should then retire together. There were many objections to the proposal *per se* of his hon. Friend, the principal of which was that it would necessitate the grouping of districts. He could not, therefore, advise the House to accept the Amendment.

MR. HENRY H. FOWLER hoped that, as the House had decided to admit the Aldermanic principle, the Government would adhere to their original proposal.

Question put, and *agreed to.*

Other Amendments made.

MR. HOBHOUSE, in moving the insertion of a sub-section, providing that at the triennial election of Aldermen, if any six County Councillors joined in voting for one duly-qualified person, he should thereupon be declared elected a County Alderman; but each County Councillor should only vote for one County Alderman; and the vacancies remaining (if any) should be filled up in the ordinary way by such of the County Councillors as had not already voted, said the principle of the Amendment was simply that a bare majority of the Council should not elect all the Aldermen.

Amendment proposed,

In page 1, line 30, after the word "alderman," to insert the words—"At the triennial election of aldermen, if any six county councillors join in voting for one duly qualified person, he shall thereupon be declared elected a county alderman, but each county councillor shall only vote for one county alderman; and the vacancies remaining (if any) shall be filled up in the ordinary way by such of the county councillors as have not already voted as aforesaid."—(*Mr. Hobhouse.*)

Question proposed; "That those words be there inserted."

MR. COURTNEY (Cornwall, Bodmin) said, he hoped the House would not consider he was riding a hobby in supporting the Amendment of his hon. and learned Friend (Mr. Hobhouse). It was, in his opinion, a proposal of great moderation. It was also an excellent proposal, and one which he thought would recommend itself to the House. By the adoption of this plan they would get rid of party spirit in the election of Aldermen. One result of the application would be to break up the Councils into smaller parties, and so avoid the sharp antagonism which arose from two conflicting factions. The machinery was somewhat novel, but, in reality, very simple. Suppose there were a Council of 48, elected by the whole constituency, who had to choose eight Aldermen. The 48 would be divided into groups of six, and each six would elect an Alderman. The sixes in this way could easily combine to select the eight best men for Aldermen. There would be no difficulty, in case two sixes selected the same man, in annulling one of the elections and allowing one of the sixes to choose a fresh man. The proposal was a very modest one, dealing as it did with the question of Aldermen alone. It was practicable and simple, and would effectually protect the interests of minorities of all parties. They had had in Committee a great deal of discussion as to the value of Aldermen in Councils. Many hon. Members objected to the introduction of Aldermen into the County Councils at all; but he believed that the proposed Amendment, if adopted, would take away the particular evil which he had attached to Aldermen in some boroughs, and would secure that, for the future, the Aldermen who would be elected to serve on the County Councils would be exempt from the taint of finding their places owing to party intrigue. He recommended strongly to the attention of the House the Amendment of the hon. and learned Member for Somerset, with whose view in regard to this matter he strongly sympathized. They must do something to prevent the evil creeping into the County Boards which had crept into some of the Borough Councils. The great and encouraging cause of the evil in the boroughs had been the extreme power which had been given under the system of election to the dominant party to maintain its majority, not only during the current year, but for a series of years to come. He wanted to secure the benefit of the presence of Aldermen in the County Councils, and to get rid of the mischief which existed in the case of some towns; and if the House adopted the proposal of the hon. and learned Member for Somerset, they would, he thought, secure the benefit and get rid of the mischief. They would secure the virtue of continuity which they would all agree should in some way or another be secured, and they would be able to retain for service in the County Councils men who, through age or growing infirmities, were unwilling to face the difficulties of a contested election, but whose fellow-members would most gladly see amongst them as persons who had deservedly won their positions and who had served the public well for many years. He trusted the House would allow the Amendment to be introduced, as he was sure its presence would be beneficial, and would not in any way interfere with any one of the provisions of the Bill.

MR. ILLINGWORTH (Bradford, W.) said, he thought the scheme was infinitely too small to have any influence on Party feeling. The Council itself would be popularly elected, and he was sure the Government would not be prepared to assent to so enormous an innovation upon the present system of election. It might be that an experiment of this kind might be tried at some time or other, but this splitting up of a Council into groups would probably be productive of mischievous and even dangerous results.

MR. RITCHIE said, he had a great deal of sympathy with the object of the hon. Member (Mr. Courtney) in his wish that there should be as little Party spirit as possible in the new Councils, and he was also anxious that the danger should be avoided of a small majority permanently dominating a Council. The Government had already taken a step to prevent the occurrence of that evil, by prohibiting retiring Aldermen from voting in the election of their successors. There were, however, strong practical objections to the proposals apart from any question of principle. In the first

place, in order to make the scheme at all workable, it would be necessary that the different groups should come to some agreement as to the men to be elected. In that way the spirit of the caucus would be introduced. If there were no such agreement, the most constant attendants, who out of a Council of 60 would probably be about 40, would be able to manage the elections for their own purposes. It seemed to him that there were other methods more simple and less open to objection. He was satisfied that under the system now proposed, circumstances might arise in which a minority and a majority of Councillors would have to elect an equal number of Aldermen. He could not accept the Amendment of his hon. and learned Friend.

MR. HANDEL COSSHAM (Bristol, E.) said, he had a strong impression that the more the selection of the Aldermen was discussed, the more it would tend to the elimination of this feature from the towns, rather than to its perpetuation in counties. To illustrate how ridiculously the system worked, he would mention what had occurred in Bristol in 1825. When the Municipal Corporations Act was passed, the election of Aldermen in Bristol depended absolutely upon one vote. That one vote elected 13 Aldermen, and gave a certain preponderance to one political Party. That existed for half a century, and created the greatest dissatisfaction in the town. He did not hesitate to say that hundreds of thousands of pounds were wasted in consequence of the election of Aldermen in that manner. They were brought in distinctly on Party lines, and they had no connection with or experience in municipal affairs. In some way a change, he was sure, would have to be made in connection with the appointment of Aldermen, or the principle of the Bill would be upset altogether.

MR. HENRY H. FOWLER (Wolverhampton, E.) said, the right hon. Gentleman the President of the Local Government Board and other hon. Members who objected to this proposal seemed to think that the elections of County Councillors were to be a sort of Utopia, in which the ordinary motives that swayed men's minds would disappear. For his own part he did not believe it, and he thought it well that on this subject they should clear their mind of cant. He was of opinion that the county contests for the County Councils would be fought upon some distinct local or general political issue. Whether it was the Temperance Question, the question of expenditure, or the question of administration, men would arrange themselves more or less into parties. He was not a proportional-representation man. He believed that, whatever the result of the first election, there would be placed in the hands of the majority a power of perpetuating and enlarging that majority, it might be, as in the case of Bristol, for 50 years. He admitted that the Government had made a great concession in agreeing that Aldermen should not vote for Aldermen. The true principle was that in proportion to the majority which the body of electors had sent to the Council should be the number of Aldermen. The theory of the Bill was that for every three Councillors there should be one Alderman. In Staffordshire, for example, there would be 66 Councillors and 22 Aldermen. Only half the Aldermen would be elected at the triennial election, and the true principle was that at each triennial election six Councillors should have the power of electing one Alderman. It was for the House to determine whether the proposal now before it was the best method of dealing with this question. He objected to give a narrow Party majority the power to convert their majority of one or two into a substantial majority which might give them the supremacy in the County Council for years to come. He should vote for the Amendment.

VISCOUNT WOLMER said, he trusted that no attempt would be made to eliminate Party feeling in these elections, because otherwise it would be impossible to get the agricultural labourer to take an interest in them.

MR. KENRICK (Birmingham, N.) confessed that he was a little surprised at the alarm which the right hon. Gentleman the Member for East Wolverhampton had expressed with regard to majorities, because he had always understood it to be one of the canons of the Liberal Party that trust should be placed in the majority.

Question put.

The House *divided:* — Ayes 113 Noes 232 : Majority 119.—(Div. List, No. 237.)

MR. HALLEY STEWART (Lincolnshire, Spalding) said, he begged to move an Amendment providing that the number of County Aldermen should not exceed one-sixth of the whole number of County Councillors, its object being to modify what he called the mischief of the Aldermanic element, and to put the County Councils throughout the country in the same position in this respect as the County Council of London. His proposal would make the provisions of the Bill symmetrical.

Amendment proposed,

In page 1, line 30, after the word "alderman," insert—"Provided that the number of county aldermen shall not exceed one-sixth of the whole number of county councillors."—(*Mr. Halley Stewart.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, the Government were unable to accept the Amendment. It had been generally recognized that London occupied a peculiar position. The case of London was a concession, and he thought it hard that, having made that concession, the Government should now be told that the Bill was not symmetrical in this matter, and that they should be pushed at this advanced stage with a question which had been already threshed out. They could not depart from the provisions in this regard of the Municipal Corporations Act.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar) said, he would appeal to the right hon. Gentleman to give way in this matter, inasmuch as he had done so in regard to London.

MR. CHANNING (Northampton, E.) said, he should support the Amendment.

MR. HENEAGE (Great Grimsby) said, he hoped the House would not accept the Amendment, which would have the effect of reducing the number of members in the Council, a very undesirable thing.

MR. STANSFELD (Halifax) said, they altogether objected to the principle of Aldermen, and as this Amendment proposed to reduce their number, and, if carried, would minimize the evil, he would support it.

Question put.

The House *divided*:—Ayes 126; Noes 197: Majority 71.—(Div. List, No. 238.)

Other Amendments made.

Further Proceedings adjourned till *To-morrow*.

WALTHAM ABBEY GUNPOWDER FACTORY BILL.—[BILL 273.]

(*Mr. Brodrick, Mr. Secretary Stanhope.*)

SECOND READING.

Order for Second Reading read.

DR. TANNER (Cork Co., Mid) said, that this Bill was one which had met with considerable local opposition, and if any hon. Member wished to inquire into the circumstances of the case, he would find the subject a very intricate one. He would find that the Bill dealt with private rights of way in the county of Essex, close to the small town of Walthamstow. Several hon. Members sitting on that (the Opposition) side of the House had objected to the Bill time and again, as it was always brought on at an extremely late period of the Sitting. Seeing that the hour was now very late (12.5 a.m.), and that no discussion could take place upon this highly debateable subject, he hoped that the measure would not be gone on with to-night, but that it would be taken some other evening at an earlier hour.

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford): As the hon. Member objects to the second reading, we will defer it till to-morrow.

Second Reading *deferred* till *To-morrow*.

MOTIONS.

EDUCATIONAL ENDOWMENTS (SCOTLAND) ACT, 1882 (KIRKCUDBRIGHT CHARITIES).—RESOLUTION.

MR. MARK STEWART (Kirkcudbright) said, he rose to move the Motion standing in his name, and though the matter dealt with in that Motion was a very important one, he did not at this hour of the night wish to detain the House at any length by discussing it. He had put down Notice of opposition to four different schemes of the Endowed School Commissioners, and in order to save the time of the House, and to make his case as strong a one as could be presented to the House, he proposed to deal with the four schemes together. He was quite aware that in Scotland, in very many instances, the principle had

been adopted by the Endowed Commissioners, with the consent of the Scottish Education Department, of departing from the original intentions of the pious founders in regard to these educational endowments. He could understand how the Endowed School Commissioners, in certain cases, had overlooked the wishes of these pious founders, and had diverted money which it had been originally intended to give in one direction into another direction. The powers given to the Commissioners by an Act of Parliament, under which they proceeded, were very large—much larger than those exercised by the original Trustees for these Charities. He did not wish to stigmatize by any condemnatory observations the dealings of the Commissioners with the various endowments, because he was quite sure that these gentlemen were animated by the best desires. They were presided over as Chairman by a Nobleman who was possessed of very considerable ability, and who had been actuated unquestionably by a sense of fairness in the action he had taken and instigated. But he (Mr. Mark Stewart) desired to draw the attention of the House to what ruled all the proceedings of the Commission. In the 15th section of the Endowed Schools Act, in relation to the framing of these schemes under the measure, the Commissioners were enjoined to respect alike the constitution of the Governing Bodies of the Charities and the educational provisions, having regard to the express intention of the pious founder. This was an important matter; but there was another point equally important which followed, and that was, that wherever there was any privilege or educational advantage which a particular class of persons were entitled to, whether as inhabitants of a particular area or as belonging to a particular class of life or otherwise, the Commissioners in drawing up any new scheme should have regard to the wishes of the pious founder in regard to such matters. It was because, he maintained, that this principle had not actuated the Commissioners in the cases to which his Motion referred, that he was now bringing the subject before the attention of the House. Again, the sections of the Act provided for the education of persons belonging to the poorer classes, and he further maintained that the endowments to which he was referring were proposed to be diverted by the Commissioners into a very different channel from that originally intended. The Commissioners seemed to go out of their way to remove educational facilities from the path of the children of parents largely dependent upon the Charity in order to provide higher education for people not so circumstanced, and who were very well able to pay for the education of their children. The people who were to benefit under the proposed scheme belonged to the more affluent part of the community, and in this way he maintained the spirit of the pious founder was contravened. The Preamble of the Act under which the Commissioners operated, said that it was desirable to use the Educational Endowments of Scotland for the purpose of carrying out more fully the intentions of the founders, and in view of that he was more than ever surprised at the attitude which the Commissioners had taken up in the cases to which he would call attention. There were four specific schemes to which he desired very briefly to call the attention of hon. Members. The first was that in the parish of Balmaclellan, in the county of Kirkcudbright, called the Murdoch Endowment. This endowment amounted to about £80 a-year, and that had been used since 1786, for 100 years, for the purpose of giving free education to that particular parish, and he might point out that they had a very good teacher in that parish, a graduate of the University of London, who was entitled to all respect. To take away an endowment of this kind at this time of day, after its having been enjoyed for 100 years, and giving it not only to the parish in question, but to surrounding parishes, was looked upon as a great hardship. The pious founder gave power to purchase land in the stewartry of Kirkcudbright, the proceeds from which were to be given yearly to the schoolmaster. What were the objections to the scheme of the Commissioners? Why, they were as follows:—The scheme deprived the parish in question of the exclusive right to the bequest, and divided it for four different parishes, and provided for a higher education than the parish of Balmaclellan had hitherto been receiving. If they took away the money from the School Board, which had been utilizing it in paying a

higher class teacher; the result would be that the Commissioners would pay a lower salary and get a lower class teacher, so that the higher class teacher would not thrive, but would most assuredly fail. The parish of Balmaclellan was altogether against the scheme of the Commissioners; the people were with one heart and voice unanimous that this money should not be taken away from them, but that they should still have it distributed in their interest, as it had been for so long a period. And now he came to the Davies' Bequest, situated in the parish of Kells, at New Galloway. The money in this case was left for the particular purpose of founding a school, and the Commissioners had dealt very hardly with the endowment in this particular case. The amount of the endowment was only small—some £28 a-year, but there was some other money which belonged to the school which would, he was afraid, share the same fate as the larger amount. What did the parishioners say in this case? Why, they said that they were strongly opposed to spreading this £28 a-year over the whole of the four parishes. They declared that the original diatribution was one which was far more satisfactory and likely to be attended with more successful results. They held that the parish of Kells derived much more advantage under the old scheme than it would be likely to derive under the new, and that the new Governing Body would be a very expensive one. The parish already had a school board, and that board, with its machinery, was able to provide for the educational wants of the parish. The people trusted the school board, who knew their wants and wishes; and that was another very strong reason why they objected to the proposed scheme. Only £5 out of the £28 would be given back for the purposes of free education out of that parish, and, considering that this parish was one of enormous area, going very far back, and that it was in one of the wildest parts of Galloway, £5 seemed a ridiculously small sum to be given towards assisting expenditure necessary to enable the people of the district to obtain the advantages of elementary education. It was quite true that the parish got more money than that out of the £28—possibly they got more than £28 altogether. Then, again, the parishioners declared that £10 was to be given by the scheme in order to obtain increased efficiency; but that it really would not help to do that at all, and the people would rather devote the money to scholarships or small bursaries—or one part of it, the other part going to maintain educational facilities for children in the lower Standards. He would now pass from this to the third scheme—namely, Johnston's Bequest, in the parish of Dalry. That was a small sum of only £5, and had been devoted to the payment of a good teacher and giving free education to a certain number of poor children. That was a very laudable and right way, in his opinion, of spending the money, and he was certain that it was the intention of the pious founder that it should go in that way. The parish had as large a population as that of Balmaclellan, to which he had already referred. And now, looking at the lateness of the hour, he would pass from that to the fourth bequest—namely, the M'Adam Bequest, in the parish of Carsphairn, in the stewartry of Kirkcudbright. This parish was situated far amongst the hills, and was probably one of the largest parishes in Scotland. It had an area of 54,000 acres, and a population of only 484 inhabitants. It was 20 miles, he might say, from the nearest town, and 18 miles from the nearest railway station. That was an endowment of some £30, which had been hitherto given to an itinerant teacher, who went from school to school, or rather from cottage to cottage, and presented last year some 14 pupils. Some of it was given to a teacher in the village of Carsphairn, which could not be called a town, and the educational results in that village had been most remarkable. It was as to these four small endowments that he brought forward his Motion. He asked the House to fairly consider the circumstances of these cases, and to decide that it was not necessary that the scheme of the Endowment Commissioners should become law. He begged to move the Resolution he had upon the Paper.

DR. FARQUHARSON (Aberdeenshire, W.) said, he rose for the purpose of seconding the proposal of his hon. Friend. He was glad the hon. Member had brought forward this Motion, because it was a very right thing to look sharply after the proceedings of the Endowed School Commissioners, and to

give the House an opportunity of considering their action in these cases when they came before the House. Many cases of this kind had been brought before the notice of hon. Members recently, and, no doubt, they were all much the same. In each case, as a rule, the money was left by the pious founder for one purpose, and the Commissioners held that it would be better to spend it for another purpose; and the House was asked to decide between the two parties. It was said that these bequests had been left for the purpose of relieving the rates, and even if that were so he did not know that it was a great crime to relieve the rates in small and very poor districts. In some of these places, as the Crofter Inquiry had shown, the rates were as high as 5*s.* and 6*s.* in the pound, and he did not know, if that were the case, why they should not have money left for the purpose of relieving such rates, considering the poor of the neighbourhood. By endowments, such as those in question, very poor people who were verging on pauperism were relieved. No doubt, the poor people in these parishes might be able to find money to pay their rates; but it was a great drain upon their resources to find in addition money for the payment of their children's school fees every week. They were told that things had changed since these bequests had been made, and, no doubt, that was the case, but the money still belonged to the people of the poor districts. It was said that relief of this kind pauperized the people, and, if that were so, he would ask, how about the relief given the other way? People were not considered to be pauperized when they obtained relief from the School Board, for in many cases the only way in which the school fees could be met was by the parents going to the Parochial Board and obtaining relief from the payment, and those who knew anything about the proud feelings of independent Scotchmen would be aware how galling it was to these people to go and get relief under these conditions. He should like to put it for a moment whether it was not possible that they were educating too much in an upward direction, and whether it would not be better for many of the people concerned to give their children a good practical middle-class education which would fit them to work at their own specific employment, and which education they would find useful in future life? What was the use of giving some of these poor people facilities for high-class education. He did not suppose there was a more useless person in the world than a young fellow from a poor rank of society who had been educated in a public school, and who had then gone to a University and taken an ordinary degree. Such a man knew as much about science as he knew about the interior of the moon, and if he desired, at any future time, to obtain a position in the world, he had to be ground down for it by dint of great exertion afterwards. Well, it was for the House to consider whether it was really advantageous for the poor people, for whom these endowments were originally intended, to be driven up into a position such as he described, and whether it was not better to spend this money in giving them a good practical education? They knew what went on in India. There were a large number of highly educated young men there who found it impossible to get any work at all. They were now groaning and grumbling, because they were without the employment which they had expected. There were no openings for them. Well, it was proposed that we should have the same thing in Scotland. There would be enormous pressure of highly educated people at home, educated in a certain abstract direction, for whom there was no work, and who, consequently, would become burdens upon the State in future life. All he had to say was, they ought to trust to the School Boards a little more than they did—and they should hand over a large part of this money which it was now proposed to spend in abstract bursaries to the School Boards to improve the general education in the small parishes. He thought they might fairly leave to the School Boards the administration of the funds which had been left by pious founders in past days. Even should those intentions of the pious founders be a little out of gear with the opinions of the present day, nevertheless, they might trust the School Boards to spend the money in a way which would be best calculated to benefit the districts concerned. He would say no more, but would simply second the Motion of his hon. Friend.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the Scheme for the management of the endowments in the parishes of Balmaclellan, Dalry, Kells, and Carsphairn, in the stewartry of Kirkcudbright, known as the Murdoch Endowment, the Johnston Bequest, the Davies Bequest, and the M'Adam Bequest, approved by the Scottish Education Department, now lying upon the Table of the House."—(*Mr. Mark Stewart.*)

MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities) said, his hon. Friends had inveighed against the action of the Commissioners, bringing against them the serious charge of taking away the advantages of the poor; but it would have been more to the point had they given the House information as to the scheme to which they objected, so that the House might have had the means of exercising its judgment thereon. This scheme, approved by the Scotch Education Department, was a method whereby, in the opinion of the Commissioners, the endowments would be utilized to greater advantage for the poor—for the very class from whom these four endowments were said to be taken away. The hon. Member for Kirkcudbright (Mr. Mark Stewart) complained of the Commissioners putting these four endowments together; but the grouping was an advantage, allowing of better administration than they could receive when separate. The endowments were small in amount, and attached to parishes that were contiguous, the populous parts of which were close together. The Assistant Commissioner, who examined and reported upon these endowments for the Commissioners, used this expression —"From the village of Dalry he could hear the church-bells of Kells and Balmaclellan." [An hon. MEMBER: Then he had very good ears.] It was said the Commissioners were taking away the advantages of the poor; but if his hon. Friend had given some information as to the scheme, it would have been seen that the bursaries proposed to be founded were reserved to those for whom the endowments were intended and who were in need of such assistance. The free school at Balmaclellan, in the opinion of the Commissioners, did very little more than save the rates. His hon. Friend asked—"Why not save the rates?" For this reason—that the rates were paid by persons comparatively well-to-do, and to save the rates was to take away the benefit that should accrue to the poor from these endowments. The rates should be used as Parliament intended they should be used, and for the purposes for which they were levied, and the poor should have the benefit of the endowments in addition to the statutory provision made for them from the rates. In Balmaclellan there was a free school with an attendance of 72 children; but it did not show a very good record, not so good as other schools in these parishes, nor in the case of any of these endowments was the intention to encourage better education carried out; they were all used merely in relief of the rates. In Balmaclellan the school rate was 3*d.* in the pound; in Dalry it was the same; in Kells it was 4*d.*; and in Carsphairn, 6*d.* The Commissioners found that these endowments were not being used to the best advantage, and they proposed that the sum of £45 out of the united endowments should be distributed according to the necessities of the parishes in free scholarships, or the payment of school fees entirely for poor and deserving children, and that bursaries should be established for higher or technical education, and these, again, should only be given to children whose parents or guardians required aid in giving them education. Then there was a provision to make grants for improving the schools in these parishes, towards promoting higher education, but not in relief of any expenditure which the School Boards might reasonably be expected to incur out of the School Funds. There was a great tendency in parishes to use endowments simply in relief of the School Fund. Then with the remainder of the free income of the endowments, school bursaries were to be given for children whose parents or guardians were in circumstances to require aid in giving them higher education. The bursaries were open to all the four parishes, and the grants to the School Boards were divided according to their several circumstances and requirements; but the advantage of grouping the endowments together for the estabablishment of small bursaries would be to encourage emulation among the children, and to produce a general effect on the education of the district that could not be obtained by leaving the endowments to be frittered away in

relief of the rates. He hoped the House would not be carried away by what had been said by his hon. Friends about the Commissioners taking away the advantages of the poor. To do anything of that kind would be both contrary to the purpose of the Act of 1882, and certainly contrary to the intentions of the Commissioners. Indeed, there had been complaints that the Commissioners, in some instances, had too strongly insisted upon confining bursaries to the poor, in framing schemes for the application of endowments.

MR. H. F. H. ELLIOT (Ayrshire, N.) said, he had no intention to speak in reference to the circumstances of these particular endowments. He sympathized with much that had been said in support of the Motion; but, at the same time, he thought his hon. Friend would do well not to press the Motion to a Division. He could quite understand the view of the hon. Member for West Aberdeen (Dr. Farquharson) that there was some use in bringing forward these questions for discussion, and, so to speak, "pegging away." But there was also a danger of dulling the interest and hardening opposition by too much persistency. On the whole, it would be well to withdraw the Motion, for the question raised was rather one of principle with regard to the operation of the Act of 1882, and that probably could be better argued and discussed on the Vote in Supply, or in some other way. Two observations he might be allowed to make in reference to the scheme. He did not think that enough had been said as to the extreme inconvenience of appropriating very small sums and bursaries, as was constantly done in these schemes. He did not believe in small bursaries. He did not believe that any bursary under £10 was of any use; but he had noticed that frequently small bursaries from £3 upwards were established. He did not believe that any boy could receive secondary education of any value for any such sum. All that happened was that the boy remained at school after he had passed the Fifth Standard. From this he did not derive much good, as there was no special inducement for the master to carry him on in his studies even if he always had sufficient training to do so. Another point was this. The House was a Court of Appeal for people who were dissatisfied with these schemes. The functions of the House were of a semi-judicial character; but how did the House qualify itself to give an impartial decision? The Commissioners took evidence, upon which they framed their proposal; but it was quite possible the House was asked to give a decision without seeing a line of such evidence, for even if it was printed, it was not circulated with a view to such a decision. Of all questions ever brought before the notice of the House, such questions as these ought to be considered apart from Party associations. But when a Division was called—as he hoped it would not be in this instance—the Government Tellers were nominated to tell in favour of the scheme of the Commissioners, and thereupon, as hon. Members knew perfectly well, Members came in from the Lobbies, the Library, the Tea Room, and elsewhere, to vote as the Government Whips directed them. Was such a course of procedure right in view of the semi-judicial character of the decision? He thought not, and hoped the House would adopt some method of improving its procedure.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, as he understood his hon. Friend behind him (Mr. Mark Stewart) did not intend to accept the advice just tendered him, not to go to a Division, he would venture to say a few words. The hon. Member who had just resumed his seat (Mr. H. F. H. Elliot) objected to the Government Tellers being employed in these Divisions; but he (Mr. J. H. A. Macdonald) would remind his hon. Friend that the Division was called not merely upon the action of the Commissioners appointed under the Act, but also upon the sanction given by the Scotch Education Department to the scheme of the Commissioners, and therefore the Government were bound to use their Tellers, and ask the assistance of their supporters in maintaining the decision of a Government Department. Then, with reference to the other objection of the same hon. Member with regard to the small value of the bursaries—he quite agreed that bursaries for higher education, or to carry a boy through a College career, ought not to be of such small amounts; but these were not intended for higher education in that sense, but to induce children to remain under tuition after

they reached the Fifth Standard, so as to receive a little better education as the result of proficiency shown in school. One thing struck him as remarkable in the course of the discussion. The other night everything said against School Boards was received with a cheer, especially from English Members, who, he thought, were inclined to judge of Scotch School Boards from their opinion of English Boards. But now, the complaint was quite different to that, when the hon. Gentleman the Member for West Aberdeen (Dr. Farquharson) had an objection of his own—that School Boards were not trusted enough. The hon. Member complained also of a proposal to put an end to a state of things which saved the rates, and he said—"Why should not the rates be saved." Well, he (Mr. J. H. A. Macdonald) understood all along that the great object and policy of these endowments were to aid education for the poor, not to save the rates spread all over the parish, but to give some additional advantage beyond that provided by law to poor children in the parish in the way of education. But his hon. Friend behind him (Mr. Mark Stewart) said the effect of the scheme of the Commissioners would save the rates, and nothing else; but his hon. Friend could not have recently read the scheme of the Commissioners, or he would remember that the scheme was distinctly based on the arrangement that if the School Board did apply the endowments merely to saving the rates, then they were to be taken away from their control. It was provided that the new Governing Body should, from time to time, satisfy themselves that the fund was being efficiently applied to higher education, and not to the relief of any expenditure the School Board might reasonably be expected to incur out of the school fund, and if it appeared to the Governors that any part of the endowment was not being applied in the manner intended, then they were to cease making the annual payments to the School Board contemplated under the scheme. Therefore, so far as saving the rates was concerned, his hon. Friend was entirely out of court in his argument.

MR. MARK STEWART rose, and begged to explain that he said the money to be given to the School Board could be better utilized for purposes of education by the board, knowing as they did the wants of the parish better than the Commissioners could.

MR. J. H. A. MACDONALD continued: This came very strangely in reference to a scheme in the administration of which four members of the School Boards, one from each parish, would form the majority on the new Governing Body. The hon. Gentleman who spoke last (Mr. H. F. H. Elliot) urged a very good reason against carrying the Motion to a Division. He said the real objection was an objection to the principle of the Act passed by the Legislature and not to this particular scheme in itself. That was clearly brought out, and one of the strongest objectors had spoken of that Act as—

> "The most revolutionary Act ever passed by a British Parliament, and preparing the way for a repetition of some of the worst features of the French Revolution."

Objection had been raised to the amalgamation of these funds. The Act of Parliament expressly provided for the decision of the Commissioners on the point, and could any hon. Member deny that if there was ever a case for amalgamation it was in this case, where there were four very small endowments indeed, and in which, as amalgamated, the endowments were made of much greater benefit? He called attention to what was done not many years after the foundation of the Murdoch Bequest, the largest of the four. The founder himself was clearly of opinion, from the terms of the bequest, that if it was to be tied down to a hard and fast line, it might be applied much too narrowly, and so it was not so tied down; and upon the death of the founder, in 1780, his friend and executor introduced certain changes, and, in doing so, said he did it with an anxious desire to carry out the founder's views, which he shared, and, knowing him well, was satisfied that, had he lived a few years longer, he would have established it on a still wider basis. The Commissioners had endeavoured to carry out their scheme in that spirit, and that he thought they had fairly done. They had applied the fund to meet the case of necessitous children only, who were worthy of such assistance, and he thought the House would agree that the Commissioners had done their duty under the Act.

MR. MARK STEWART said, that so far he knew, there had been no charge brought against any of the Governing Bodies managing the different Trusts and Bequests for the period of 100 years, as to the manner in which they had carried out the intentions of the founders. They had done a vast deal of good in the districts for whose benefit these bequests had been intended.

MR. C. S. PARKER (Perth) said, that without detaining the House unduly, he wished simply to say—[*Cries of* "Divide!"] Well, he had sat there two or three evenings during the last fortnight, listening to similar discussions, without having uttered as yet one word in protest against these undeserved attacks upon the Endowments Commissioners. What he wanted to say was this—that their opponents were only a small minority of Members from Scotland. Where were the majority? Why, they had confidence in the Commissioners, and in the Education Department, and had gone home, leaving those few who objected to the well-considered schemes of the Commissioners to advocate alternative proposals. But what he complained of was, that of these opponents some had not taken the pains even to read the schemes, while others objected to them only because they gave effect too faithfully to the intentions of Parliament recorded in the Act in favour of higher education. A more Philistine speech against higher education he had seldom heard than that of his hon. Friend who had seconded the Resolution. At the same time, it did not appear that the hon. Member had ever looked at the scheme, because he had talked about Indian Baboos and University bursaries, neither of which were in question; but had said nothing about the actual proposal of the Commissioners, to divide the endowments between free elementary education for the poor, school bursaries for those who required help, and strengthening the staff of village schools. Then again, as everybody knew, the hon. Member for West Edinburgh (Mr. Buchanan), and the hon. Member who spoke last, had been hot opponents of the Act, and therefore condemned every scheme. He agreed with the hon. Member for North Ayrshire (Mr. H. F. H. Elliot) when he said that what those hon. Members really meant was not opposition to this or that scheme, but to the principle of entrusting the formation of schemes to the Commissioners and to the Education Department. The hon. Member himself had a proposal before the House for giving an appeal to a Committee of the House, and when that proposal was brought forward it would be worthy of consideration. But, in the meantime, he thought it was too bad that the Commissioners, who were merely carrying out the wishes of the House in making the Governing Bodies of these endowments more representative, and in promoting higher education, should be attacked, as hon. Members attacked them time after time, in a spirit of persistent opposition, and often without even reading the schemes they proposed. An appeal had been made to hon. Members not to give a Party vote. But this was in no sense a Party question. It was a case in which the Education Department was responsible for having confirmed the action of the Commissioners, and the Government therefore were defending that decision against the attacks of miscellaneous Members from both sides of the House.

MR. A. R. D. ELLIOT (Roxburgh) said, he was afraid he must appear before the House as one of those "miscellaneous Members" of whom the hon. Gentleman who had just sat down (Mr. C. S. Parker) had spoken. But, in reply to the hon. Member, he would just like to say this—that on the Motion he (Mr. A. R. D. Elliot) had made the other day somewhat akin to the proposal now before the House, he had had the support in the Division Lobby of that hon. Member himself. The hon. Member was, at any rate, in good company in so doing, because, if hon. Members from Scotland who had gone into the Lobby with him (Mr. A. R. D. Elliot) and the hon. Member (Mr. C. S. Parker) were "miscellaneous," they were also numerous. Whilst 20 Members representing Scottish constituencies had gone in the Lobby to support his Motion, only six Scotch Members had gone in the Lobby against him, of whom three were Members of the Government. He was not going into the scheme before the House that night; but he wished to point out this—that hon. Members were not voting against the Act of Parliament, but simply wished to carry out the objects of that Act, the Act declaring that in some way the House of Commons

was to be a sort of appeal from the Scottish Education Department and the Scottish Office. Well, but was the House of Commons a Court of Appeal from either of those constituted Bodies? He maintained that it was not, and that it was true that a majority of Scottish Members—those Members who were best acquainted with the circumstances of these cases—in the Division were in favour of the Motion and against the views of the Scottish Education Department, yet people came in from the Smoking Room and Library and other places outside the House on the ringing of the Division Bell and outvoted the Scottish Members. He protested against the opinions of the people of Scotland being over-ridden in that way; and as to the attitude of the hon. Member near him (Mr. C. S. Parker), he was at a loss how to understand his views and his actions as compared with those he exhibited the other night. He should like to see the hon. Member guided by some sort of principle which, at any rate, would give a semblance of consistency to his action.

MR. C. S. PARKER asked leave to make a personal explanation. He was much indebted to the hon. Member for challenging him as to the vote he had given the other night. No doubt, he had been that night a "miscellaneous Member." He had given his vote against the Commissioners; but he was glad of this opportunity to explain that he went into the "Aye" Lobby by mistake. It was by mere mistake that his vote was given in favour of the Motion.

MR. HUNTER (Aberdeen, N.) said, he did not wish to detain the House; but the right hon. and learned Gentleman the Lord Advocate had made such a serious mistake as to the views of those who opposed these schemes generally, and that mistake had been so exaggerated by the hon. Member for Perth (Mr. C. S. Parker), who quite misunderstood their position, that he felt bound to say a word or two. He (Mr. Hunter) was as much in favour of secondary education as anyone else, and he entirely approved of the policy of the Act; but his objection to what took place was this—and he invited the Lord Advocate's attention to it—that in these cases money had been left for the education of poor children. He and his Friends did not in the least object to that money being applied to the higher education, or secondary education, of these children; but what they did object to was, that these funds which were left for the benefit of the poor were used for the purpose of cheapening the education of middle-class children. He did not say that every scheme in its whole extent was liable to that objection, and it was only in so far as a scheme was open to that objection that they opposed it. It was on that ground, and on that ground only, that they took action, and if they sometimes differed from the schemes of the Commissioners, it was only right that the right hon. and learned Lord Advocate should understand their position.

SIR JOHN SWINBURNE (Lichfield) said that the hon. Member for Perth (Mr. C. S. Parker) had appealed to English Members, and he (Sir John Swinburne) hoped that English Members would listen to his appeal and support the Motion before the House. He did not care what the particular object of the scheme of the Commissioners was; but he held that all those schemes would be much better arranged and managed if the trustees or managers were elected by the rateyayers of the particular districts.

MR. JOHNSTON (Belfast, S.) rose in his place, and claimed to move, "That the Question be now put."

MR. SPEAKER withheld his assent, and declined then to put the Question.

MR. CONWAY (Leitrim, N.) said, that, considering the House was composed of so many Scottish School Managers, he was surprised that hon. Members were so ignorant of the Scottish Code which went to the good working of the Scottish schools. He was surprised that hon. Members had not in their minds that the First Table concerned elementary education, and the Second Table and the Fourth Schedule covered the whole basis of the secondary education, and he appealed to the Vice President of the Education Department to bear out what he said. There were under Schedule IV. 10 subjects covering science; and they were also in Scotland enabled to take up French, German, and Latin subjects. This scheme which was set before them would enable the school managers, if they had the opportunity, to take advantage of the funds placed at their disposal by the Government, and of covering the 17*s.* 6*d.* limit. Hon. Gentlemen on the other side ought to

know what that meant. They ought to know that under that 17*s.* 6*d.* limit, they were prohibited from receiving the grant unless they had resources outside the Government grant of above 17*s.* 6*d.* Therefore, it behoved the Government in this matter to contribute to those schools which were not under School Boards. [*Cries of* "Divide!"] He told hon. Members opposite that he was advocating their own case, as they would see if they would only listen. It behoved the Government, under this scheme, by means of the money placed at the disposal of the schools not under the School Board, to obtain funds sufficient in themselves to enable the school managers to obtain grants under Schedules II. and IV. which would cover secondary education.

Question put,

The House *divided*:—Ayes 52; Noes 85: Majority 33.—(Div. List, No. 239.)

EDUCATIONAL ENDOWMENTS (SCOTLAND) ACT, 1882 (HUTTON TRUST).

RESOLUTION.

MR. MARK STEWART (Kirkcudbright) said, he would promise the House that at that late hour (1 a.m.) he would not detain hon. Members at any great length with the next Motion. He might briefly say that many of the arguments used against schemes of the Commissioners within the last few days applied to this case, and it would be unnecessary to repeat them. The locality to which the Trust related was not in his county, but in the neighbouring county to that he had the honour to represent, but the endowment related to a parish in which he lived, and he was well aware of the circumstances. The great objection to this scheme was, that it took away from the poor of the parish the benefit of £900 or £1,000 a-year which they had enjoyed for 180 years. It was now proposed to take away the major part, or a very considerable portion of the endowment, subdividing it into bursaries, mainly for higher education. Although the poor would receive a certain amount of benefit under the scheme, they would not get the whole amount they were entitled to. His second objection was that the scheme entirely altered the Governing Body. The will of the founder laid great stress upon religious education and the administration of the fund by ministers of religion of the parish. The scheme altered that in a great measure. No doubt, they had a representative on the new Governing Body; but they would not have that control the founder intended they should have. Further, the people complained that their full right to the fund was not secured, and under the scheme it might be applied outside the parish. Much might be said, though he would not now trouble the House with it, on the legal aspect of the question. It was argued, and with some force, that inasmuch as the grant was vested in the ministers of Kirk Sessions, that it did not come within the provisions of the Act of 1882, and the Commissioners had no right to touch it or interfere with it. The poor parishioners felt it a very great hardship that this Bequest should be submitted to the very rigorous procedure of the Act. He would not, however, go at length into the case, but merely stated the outline of the objections that induced him to give Notice of his Motion.

MR. A. R. D. ELLIOT (Roxburgh) seconded the Motion.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the Scheme for the management of the Endowments in the parish of Caerlaverock, county of Dumfries, known as the Hutton Trust, approved by the Scottish Education Department, now lying upon the Table of the House."

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, as his hon. and learned Friend, in bringing forward his objection, had told the House that it was the opinion among the inhabitants of the parish that the scheme of the Commissioners was contrary to law, it might be sufficient for him to say—and the House would agree with him—that this was not the time or place to dispose of that point. If the action of the Commissioners was contrary to law, then a Court of Law could set it aside, and the House had nothing to do with that point. He might briefly give the history of the Trust—[*Cries of* "No, no!"]—he would promise to be brief. The original capital placed £900 at the disposal of the trustees, but they, apparently not finding fitting objects upon which to dispose of the income, had

allowed it to accumulate, and the income was now £1,070 per annum. This was expended in doles for the poor, with the usual result of extensive doles in a small parish—that the poor became so demoralized that at the present moment the expenditure for the poor from the rates was higher than anywhere else in Scotland, and equalled £1 per head of the population. He observed that his hon. Friend the Member for Roxburgh (Mr. A. R. D. Elliot), in spite of his strictures upon Members who took part in Divisions without hearing the discussion, had left the House before he learned what the scheme proposed by the Commissioners really was. It was proposed that a third should be applied to the relief of the poor, and that the rest should be devoted to education, the payment of a school teacher, the payment of fees of poor and deserving children, and in bursaries. He did not think the House would deny it was an improvement on the state of things existing and a better application of the endowment.

Question put, and *negatived.*

COMMITTEE OF SELECTION.

Ordered, That the Committee of Selection have leave to make a Special Report.

SIR JOHN MOWBRAY accordingly *reported* from the Committee of Selection; That they had added the following Member to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, in respect of the Liability of Trustees Bill [*Lords*]: Mr. Godson.

Report to lie upon the Table.

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, 27th July, 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—Local Government (England and Wales) * (238).

Committee—*Report*—Indian Councils Act, 1861, Amendment (224).

PROVISIONAL ORDER BILLS—*Committee*—Pier and Harbour (No. 2) * (223).

Third Reading—Local Government (No. 13) * (207), and *passed.*

SALE OF INDECENT PUBLICATIONS AND PHOTOGRAPHS.

QUESTION. OBSERVATIONS.

LORD MOUNT-TEMPLE, in rising to call attention to the impunity with which large numbers of indecent publications and photographs are sold or distributed illegally to young persons, and to ask the Government whether the Public Prosecutor may be instructed to take proceedings in the more important cases of the breach of this branch of the law, said, he was sorry to obtrude this subject upon the House; but he deemed it a public duty to bring under notice some striking facts illustrative of a very peculiar trade that was extensively carried on in London and a few large towns in this country that might be stopped by publicity. He had always supported Free Trade, but not smuggling, which was an illegal trade, prohibited by law. This trade was for the sale of the virtue and beauty of poor girls of the lower classes, who had to earn their livelihood by drudgery and hard work, and it became worse than the Slave Trade. This trade was one in which it was not easy to get a profit, particularly as much competition existed. The dealers had to increase their customers and also to provide the articles wanted by their customers, and all this required skill, ingenuity, hard hearts, and a degrading selfishness. The method which was now found most successful was the gratuitous distribution of leaflets and photographs to excite in pure-minded young women of the lower classes, the hope that they might have pleasant living without labour. Printed papers were thrust into the hands of young women walking in the streets, beginning with something attractive and interesting, and ending with a notice of where more could be obtained. He held in his hand one of these letters, which were sent by post to housemaids. It was directed to the young servant girl who cleaned the door steps, and contained obscene information and indecent photographs, and requested the servant girl, if she wanted more, to put a bit of white paper on the kitchen window at a time mentioned, and gave the house where the sender was to be found. That was only one out of many devices practised to influence the simple minds of young

women. For example, pernicious pamphlets were thrown over the walls of girls' schools, and there were many well-known shops where books and pictures most pernicious to both sexes were sold in quantities; a translation of Zola's novels had been selling at the rate of 1,000 a week. The existing law might be sufficient if it were more easy of execution; but there was no effective execution of it in London. Much work and much time were required to obtain the necessary evidence, and the exertions for this object of the two vigilance societies had been unremitting. The stipendiary magistrates in London had been found unwilling to give the official meaning to the legal terms "obscene" and "indecent" the meaning that the Vigilance Associations contended for. Probably this was owing to their apprehension that they would not be supported by public opinion; but the National Vigilance Association often prosecuted a proper case when they did not obtain success, for the sake of attracting public attention to these evil practices which were unknown to the ordinary public, though the Public Prosecutor hesitated to bring an action in which he did not feel sure of success. The extensive demoralization of young women of the lower classes seemed to justify a more general intervention of the Public Prosecutor, on the ground that it was a public object to preserve the purity and modesty of the rising generation. This was not a case in which injured persons could appeal to the law; if done at all, it must be by those who had the care of national integrity and virtue. Foreign nations had much stricter laws than England. There were above 20 Germans carrying on this trade in London, because the application of the law in Germany prevented them from making the profits they got in England. They could also make money by decoying unsuspecting English girls to go to Germany to be employed in the singing coffee taverns, where careful arrangements were made for their ruin. In the United States the law was so effective that impure literature and pictures could hardly be obtained. He hoped that Her Majesty's Government, amid all the important and pressing subjects with which they had to deal, would find time to take steps to save thousands of weak and helpless girls from untold misery, degradation, and corruption of body and soul. In conclusion, he begged to ask the Government whether the Public Prosecutor might be instructed to take proceedings in the more important cases of the breach of this branch of the law?

THE EARL OF MEATH said, he was certain that they would all recognize with the noble Lord that anything which undermined the moral character of the young was hurtful to the nation. He believed that what the noble Lord had said with regard to the practice of disseminating literature of this character was strictly true in every particular. There could be no doubt that owing to the facilities of the present day such literature could now be spread in a manner which would have been impossible at one time, and the greatest possible care should be taken that all these facilities should not be misused for immoral purposes. It was perfectly true that there were dealers going about throwing letters addressed to the servants down areas, telling them to put certain signs in the window if they wished for literature of the class referred to. It was impossible to get hold of these men, because they left no address. Their object was simply to pervert the minds of servants. These letters sometimes got into the hands of ladies. Again, a large number of indecent pamphlets were distributed by quacks, being sent round in many instances to schools. He was glad to say that in the case of one school he knew of, the boys had got hold of the man and given him a good ducking, so that he never came again. Then there were pamphlets which were addressed to ladies whose names appeared in the birth column of the newspapers. Were these things to be allowed to go on? Were they obliged to allow science and civilization to be so misused that they were to have this horrible literature thrust upon them by the Post Office? Of course, it was not the fault of the Post Office, but something ought to be done. Who was the Public Prosecutor? He did not know; he had not even known his name until the Lord Chancellor had told him yesterday. He would like to see the Public Prosecutor placed in a different position from that in which he now found himself. In the State of New York not only was there a Public

Prosecutor for every county, but he could act on his own motion, without having to wait until the Treasury told him to prosecute. It might be said that it was impossible to pass any law which would check these evils. But in Sheffield there was a local Act under which any person posting or circulating any bill or printed or written paper of an obscene or indecent character rendered himself liable to a penalty not exceeding 40*s.*, or to imprisonment for any term not exceeding one month. If it were possible for a Local Authority in Sheffield to pass a bye-law of that kind, he did not see why Parliament could not pass a general law of a similar kind for the whole Kingdom?

THE EARL OF SELBORNE said, he did not believe there was any greater source of corruption in this country than that which the noble Lord near him had brought before their Lordships. It was not merely immoral publications to which he referred, but descriptions in writing which were criminal as well as immoral. He did not think that the Post Office ought to circulate poison of that sort. It must be surely possible to devise some means of preventing the Post Office and the public streets from being used for such purposes.

EARL BROWNLOW said, he was not aware that there was any legislation which dealt specially with the case of young persons in connection with this subject. On the contrary, the aim of all our legislation was to prevent the publication or exhibition in shop windows of indecent matter in regard to any age or sex. The practice of the Home Office was when notice had been given of the publication and distribution of indecent publications, photographs, or pictures, to refer the matter to the Commissioners of Police, who took steps immediately to deal with the evil. He thought he could say that the police had not been lax in the performance of their duties in that respect; they were perfectly alive to the importance of the subject, and there had been a great many prosecutions. With regard to the action of the Home Secretary, the right hon. Gentleman, in answer to a similar Question on the 8th of May, said that, acting on his own discretion, he would certainly urge prosecution in any case in which it did not appear that more harm than good would be the result. The practice of the police, when they endeavoured to put down the sale of any indecent publication or picture, was to bring the matter before the Public Prosecutor, who exercised his discretion in the case.

THE BISHOP OF CARLISLE observed that it had been stated that, when the Public Prosecutor was put in motion, it was a necessary preliminary that the person who set him to act should make himself liable for half the cost. He had himself, on one occasion, put the Public Prosecutor in motion. He had not to give any guarantee, and the work was done entirely to his satisfaction.

LORD FITZGERALD said, the answer of the noble Lord was satisfactory as far as it went, but it did not go far enough. He thought that what was wanted in London was a less cumbrous law than the existing one—a summary mode of proceeding which should act surely, inexpensively, and rapidly, and in which, though the punishment might be small, it should be effectual.

THE LORD CHANCELLOR (Lord HALSBURY) said, he thought the noble Lord on the Cross Benches was under a misapprehension. The Attorney General could direct a public prosecution against anyone, and the Public Prosecutor must act under the direction of the Attorney General. As a matter of fact, Public Prosecutor was a name which had in recent years been given to the Solicitor to the Treasury. But in this country, subject to certain exceptions, anyone might prosecute. Anyone who prosecuted, however, whether a Public or Private Prosecutor, must prove what he alleged. There was no use in proceeding against a person unless you had some proof. Some of the most injurious practices were carried on by people whom no one was able to trace, and it was a strange complaint to make against the Public Prosecutor that he did not prosecute persons whom he had not discovered. Undoubtedly, those who indulged in this traffic surrounded their operations with all possible secrecy and took every precaution to avoid publicity. He would wish to say one word of caution. He quite recognized the excellence of the motives of the noble Lord who had introduced the subject. Everyone must heartily sympathize with his intentions. There was one remark of the noble Lord which revealed a state of

mind with which he could not agree. The noble Lord said that it was not so much desirable to get a conviction as to make the matter public. Now, he believed that to make the matter public would only do more harm. He would give an illustration of what he meant. A very vile pamphlet was being sold in the City of London. The City Authorities thought it right to prosecute, and he himself was counsel for the prosecution. One result of that prosecution was that public attention was called to that which had been circulated only by the hundred, perhaps, and it went through several editions, and its circulation was increased by many thousands. The learned Judge who tried the case called the attention of the jury to the fact that the circle of impurity and corruption which existed before had been widened tenfold, or, perhaps, a hundredfold, by the institution of the prosecution. As to the complaint that if a prosecution was instituted in respect of the publication of indecent matter, the indecent matter had to be set out in the indictment, he would point out that there was now before their Lordships' House a Bill to provide that that need not be done. He thought it was his duty to refer to these matters, because, while entirely sympathizing with what had been said, he believed it would rather interfere with the improvement of the condition of things. Everyone desired to exaggerate the state of the case, and to suppose that by some alteration in the law the necessity of proof could be dispensed with. That must, in the first instance, be obtained before a prosecution was instituted, and he believed that, so far from its being desirable to prosecute unless there was a reasonable chance of conviction, the tendency should be exactly the other way, for if prosecutions were instituted in vain the commission of offences of a similar character was encouraged.

LABOURERS (IRELAND) ACTS.

MOTION FOR A PAPER.

THE MARQUESS OF WATERFORD, in rising to move for—

"A Return showing the working of the Labourers (Ireland) Act up to the 31st of May, 1888—(1) number of cottages already completed; (2) actual cost of cottages already completed, exclusive of preliminary expenses and law costs: (3) preliminary expenses and law costs —(*a*) expenses incurred by Local Government Board; (*b*) expenses incurred by Boards of Guardians (including medical report, architects' fees, solicitors' costs, expenses of defending appeals against cottages authorized, and miscellaneous expenses): (4) number of cottages occupied: (5) number of cottages occupied and not paying rent: (6) number of cottages let to evicted tenants: (7) number of cottages in which persons in receipt of outdoor relief are resident: (8) trades or occupations of persons in occupation of cottages: (9) highest and lowest weekly rents charged: and (10) number of cottages condemned by the sanitary or local authority (and in lieu of which new cottages have been erected), but which are still inhabited,"

said, that the Returns moved for in the House of Commons were not sufficiently explicit owing to the complicated nature of the Labourers Acts. In 1885 Her Majesty's Government brought in an Act with the object of making the Act of 1883 workable. He had the honour of introducing that Act, and he was extremely sorry that he did so, for a worse Act never was passed. It opened the way to any amount of jobbery. The Boards of Guardians had the administration of the Act in their hands, and they administered it as only Irish Boards of Guardians could. It was reported to him that the Act had been worked entirely for political purposes. If a man happened to be a Land Leaguer, or, which was the same thing, a National Leaguer, he could always obtain a cottage, but even if he were the best labourer in Ireland and not a National Leaguer he had no chance. A noble Lord, a Member of their Lordships' House, had informed him that a Guardian had stood up at a meeting of a Board, of which he (the noble Lord) was a member, against a proposal of this kind, in order to put a stop to some jobbery, and he heard two men say, "We will put two cottages upon him." That was the way this Act was worked. Then, the salaries under this Act were enormous. First, the clerks of the Union, who were a hard-working body of men, had very large salaries, but they did a great amount of work and he did not object to their being well paid for it. But, then, there was the medical Inspectors, who, he thought, might very well do this extra work without any extra salary. Then they had a solicitor attached to some Boards of Guardians for the purpose of carrying out the provisions of this Act, and in addition to that they had for the erection

of these labourers' cottages an architect, and it could well be imagined how the ratepayers' money was being spent. Many cottages were unoccupied, and, in many cases, the sites selected were very inconvenient. He had heard of cottages being built on land where no labourers were required. He was informed, too, that some cottages were occupied without any rent being paid, which was only to be expected when the Guardians themselves taught the people not to pay rent. Then, he had heard that some of these cottages were let to evicted tenants; he had heard, too, that some of them were let—but he hoped it might not be true—to persons in receipt of outdoor relief, for that was a direct breach of the law. Most careful definitions had been laid down of who was a labourer, yet he was told that these cottages were often let to men who did not pretend to be labourers. Again, he was told, and, in fact, he knew from experience, that the landlords had not received anything like the value of the land on which the cottages were built. It was proposed by the Act of 1885 that the landlord should let the land for 99 years to the Board of Guardians, and the Sub-Commissioners were to fix what the rent was to be, but the rent that was fixed was often perfectly ridiculous. In the case of a purchase the landlord in many cases received neither the purchase money nor the interest on it. Not only had these Acts been a great injury to the landlords, but he was told that the National Leaguers themselves who administered the Acts had become extremely dissatisfied with them, and spoke of them as most injurious to their interests. They did not recognize that the failure of these Acts was due to their own administration of them. He hoped Her Majesty's Government would grant the Return he moved for, because, if he was correct in the information he had received, it was necessary that their Lordships should know how these Acts were administered.

Moved, That there be laid before the House—

"Return showing the working of the Labourers (Ireland) Acts up to the 31st day of May, 1888:

1. Number of cottages already completed:
2. Actual cost of cottages already completed, exclusive of preliminary expenses and law costs:
3. Preliminary expenses and law costs—
   (*a*) Expenses incurred by Local Government Board;
   (*b*) Expenses incurred by Board of Guardians (including medical reports, architects' fees, solicitors' costs, expenses of defending appeals against cottages authorized, and miscellaneous expenses):
4. Number of cottages occupied:
5. Number of cottages occupied and not paying rent:
6. Number of cottages let to evicted tenants:
7. Number of cottages in which persons in receipt of out-door relief are resident:
8. Trades or occupations of persons in occupation of cottages:
9. Highest and lowest weekly rent charged:
10. Number of cottages condemned by the Sanitary or Local Authority (and in lieu of which new cottages have been erected) but which are still inhabited."—(*The Marquess of Waterford.*)

THE LORD PRIVY SEAL (Earl CADOGAN) said, there was no objection on the part of the Government to the Return moved for, and it would be granted in the form in which it stood on the Paper.

THE EARL OF WEMYSS asked their Lordships what other result could they expect from such legislation than the natural consequences—namely, jobbery, extravagance, and the robbery of landlords, of which the noble Marquess had so justly complained. Such a Return as that moved for would be useful in the study of the question of Local Government. But he thought his noble Friend had omitted one point. He would suggest that an 11th point should be added, asking for the total profits or loss to the ratepayers.

EARL CADOGAN said, he could not, without Notice, promise to give the Return suggested by the noble Earl.

Motion *agreed to.*

Return ordered to be laid before the House.

NATIONAL RIFLE ASSOCIATION — REMOVAL TO RICHMOND PARK.

OBSERVATIONS.

LORD WANTAGE, in rising to draw attention to a Petition now presented to the First Commissioner of Works with reference to granting a portion of Richmond Park as a site for the annual meeting of the National Rifle Association, said, the National Rifle Association had been told to take a leaf out of the book of the Artillery Association; but he desired at the outset to remind

their Lordships of a point which was sometimes overlooked. The Artillery Association, which held its meetings at Shoeburyness, an admirable association which had produced admirable results, was a purely military body. The National Rifle Association was quite different, and the object of its founders was to promote rifle shooting generally. It was founded on the principles of the Tir Fédéral of Switzerland, for the purpose of rendering rifle shooting a national pursuit and pastime in the reign of Queen Victoria as archery was 300 years ago. Of the distinguished persons who stood round the cradle of the National Rifle Association he would only mention three—Mr. Sidney Herbert, never to be forgotten among Secretaries of State for War, who sacrificed his life to his official duties as much as ever soldiers did; the Prince Consort; and Her Majesty the Queen, who herself fired the first shot on the ranges. These had recognized how wide was the scope of the objects of the National Rifle Association—the Prince Consort by starting an All Comers' prize, which had been kept up down to the present time, and Her Majesty by the speech she graciously delivered on the 2nd of July, 1860, upon Wimbledon Common. Her Majesty said—

"I have witnessed with pleasure the manner in which the ancient fondness of the English people for manly and sylvan sports has been converted by your association to more important ends, and has been made an auxiliary instrument for maintaining inviolable the safety of our common country."

Under the head of "All Comers" there came to Wimbledon such men, for instance, as a mechanic, who had invented a new system of rifling, or a new sort of breech action; or, perhaps, a Scotch laird, dressed in a suit of tweed, carrying a sporting rifle on each shoulder and with a black pipe in his mouth. Such sights as these vexed the spirit of the visitor to Wimbledon, who expected to see nothing but soldiers in tight tunics and properly adjusted belts; but they could not forego their "All Comers," rough and ready as they were, even under the apprehension of being pronounced mere picnicers on the common. The National Rifle Association and those who directed it had been blamed in some quarters for bringing the Queen's name into the present question with regard to Richmond Park. He was responsible for having first approached Her Majesty, and he thought then, as he thought now, that they could not have moved in this matter of the use of a Royal Park without such assent as Her Majesty was pleased to give them. Whatever might be the decision ultimately given by Her Majesty's advisers, the good will shown to the Volunteers by the Queen on this Question of Richmond Park would ever remain a matter of grateful feeling on their side towards their Sovereign. Should the decision be adverse, it would, of course, be accepted at once, and nothing further would be said. Should it be in favour of their request, they would hope that the Ministers of the Crown and the Commander-in-Chief would assist in furthering the objects of the association in their new departure. As their Lordships were aware, the Petition now made was to be allowed to use a portion of Richmond Park for the annual meetings of the association. This scheme, unfortunately, had not commended itself to the Commander-in-Chief. He desired, with all respect, to speak of the Illustrious Duke in his public capacity. The objections which His Royal Highness had raised to the National Rifle Association remaining on at Wimbledon Common were of a similar nature to those he now made as to their going to Richmond Park—namely, danger to the public. This danger—if danger there were—had, as regards Wimbledon, existed for the last 28 years, during which period there had never been a single accident, though 1,000,000 shots had been fired at the ranges there on each meeting. If the ranges used by the National Rifle Association on Wimbledon Common were dangerous, equally so must be the other ranges on the Common used throughout the year by Metropolitan Corps. They must, in that case, be equally closed on the ground of danger. Neither could the process of closing them stop there. Every other range in the country that did not possess a mountain behind the targets must be equally closed. The Commander-in-Chief, like all other public men, was liable to error, and in his official capacity was not, and, he felt sure, did not desire to be, exempt from criticism. He would proceed to show that in the opinion of the National Rifle Association the Commander-in-Chief was wrong on

this point. The fact of the past 23 years of perfect safety seemed to be an answer to the apprehensions of the Illustrious Duke, and in confirmation of this he might mention that he had received a letter from the clerk of the works of the National Rifle Association, who stated that compensation was annually paid to the occupants of certain cottages situated behind the butts, to enable them to reside elsewhere during the Wimbledon meeting, but that the people did not do so and continued to occupy their houses, and their children went to and from school without any evil results whatever. The Commander-in-Chief had referred to the future issue of a new rifle with increased range, but the small-bore rifle, with a similar range to the rifle alluded to, had been constantly used for 20 years at Wimbledon by all comers, although not as a military rifle, and none of the dangers anticipated had arisen. He mentioned this in order to prove the safety of the ranges and the skill of those who came up to shoot at the meetings of the National Rifle Association. In confirmation of that he would quote the Petition of the association to the First Commissioner of Works. It said—

"Your petitioners, however, would point out that competitors at the annual meetings consist of specially selected shots. Their accuracy of fire has been tested by means of a screen opposing an area of 600 square feet immediately behind the butts, through which no bullets have passed out of 20,000 shots which have been fired during the first part of the meeting at ranges up to 600 yards."

That experiment was continued for the remaining eight days of the meeting, and during that time not one single bullet passed through the screen, showing that every bullet was either caught on the target or else on the butts. About 10 years after the association was established an Act of Parliament was passed which gave them considerable rights on the common. Unfortunately, that well-intentioned and well-considered Act which gave them compensation for the expenditure, amounting to about £45,000, which they had made in the event of their being removed by the conservators of the Common, was of no avail, because it was not the conservators who were now forcing them to move. They were now told to go elsewhere without a single word in acknowledgment of the services they had rendered; they were told to go anywhere so long as they went far enough. In their extremity the National Rifle Association turned their eyes to the Royal Park of Richmond, a Park noted for its beauty, its magnificent trees, and its sylvan glades so freely open to the public. Those of their Lordships who had read adverse letters in the newspapers, he was sure, would be surprised to hear that not one of those trees would be injured in the slightest degree, and that not one of those sylvan glades would be interfered with. What they were now asking for was simply to put the butts and rifle ranges in a part of the Park never open to public and known as the Paddocks. A danger which had been pointed out caused apprehension — namely, that having got in the thin end of the wedge, they would wish to proceed further and have greater rights. The National Rifle Association would not do so. They desired a range which should not be used by any rifle corps. Persons came to compete at their annual national meeting from all parts of the Kingdom and from the Colonies. The Canadian Government voted public money to send over to this country their picked shots to compete at our national meeting, and those men had distinctly stated that in no case would they come if they were relegated to some distant place. They would come for a national competition; but they would not come to a place where other men were acquainted with the light and shade and the different effects of the breeze. That was the modest request the National Rifle Association made for that small portion of land called the Paddocks. They were indebted to the great courtesy, good will, and friendship of the First Commissioner of Works and the Illustrious Duke (the Duke of Cambridge), who had given them every opportunity to examine that piece of ground, to mark out the ranges and the trees, not, of course, as had been foolishly alleged, permanently, but with whiting, which could be easily washed off. The Commander-in-Chief had sent down a military officer in order to see what facilities and what danger there might be. No adverse report had been made by that officer, who was the secretary of the committee which was now investigating the capabilities of the new rifle. There were only 30 or 40 trees which would have to be cut down, and

those were of an inferior character. The hill at the foot of which it was proposed to place the targets rose 90 or 100 feet above the range, and the bullets which passed the targets would be caught in that rising ground or in the trees which crowned it. The footpaths were far out of range. The chief opposition they had to meet was from those persons who had the great advantage, boon, and pecuniary gain of living in close proximity to a Royal Park which was protected from the builder. Such was the selfishness of those persons who had enjoyed the advantages of Richmond Park that they grudged, for one short fortnight of the year, the use of this part of it to the men who gave up so much of their time to acquire a knowledge of arms. They who were advocating those men's case were told they were no better than Trafalgar Square agitators, and it had been further alleged that the trained men engaged in the work of national defence had threatened to lay down their arms if they were not allowed to have Richmond Park. That was simply a calumny. It could not be supposed that men with ordinary spirit would consent not to make some effort in order to carry on the association which had lasted so long. Besides the piece of ground called the Paddocks, about 600 acres of the Park proper would have to be surrounded by a cordon of police during the shooting hours, but they would not have to enclose it. He would conclude what he had to say by reading to their Lordships an analysis of the Petition which had been got up in three days, because it was thought no time should be lost. It was signed by 63 Members of their Lordships' House, 102 Members of the House of Commons, 48 officers of the Regular Army, 34 soldiers and sailors, 357 Volunteer officers, 2,161 Volunteers of the rank and file, 71 mayors, 264 magistrates and municipal officers, 30 prominent provincial citizens, and 1,494 members of the general public, making a grand total of 4,624. The Petition was got up at Wimbledon, and a more unanimous and earnest prayer he never remembered to have been put forward.

The Earl of FIFE said, that this was a question about which the inhabitants of Richmond Park and its neighbourhood felt strongly, and had a strict right to be heard. As an owner of property, he had been asked to give expression to some of the objections entertained against the proposal. He had no technical knowledge; but he thought no unprejudiced man could deny that there must be in the neighbourhood of London, within reasonable distance, some localities admirably suited for the purpose of the National Rifle Association, without depriving, even for a short time, the public of one of their not very numerous resorts in the neighbourhood of London. Those who advocated this scheme had lost sight of the fact that of late London had increased very rapidly in the direction of Richmond Park. Some 20 years ago Richmond Park was considered a long way from London. But it was not so now, and from daily observation he could testify to the presence of large numbers in the Park every day in the week. It was said the meeting only lasted a fortnight in the year; but with the preparations beforehand, and the clearing up after, for at least a month in the best part of our short summer, the people would be deprived of the enjoyment of a great portion of this beautiful Park. He knew the place very well where it was proposed to place the butts, and there was hardly any place less suited for the purpose. It was very easy, upon paper, to define the range of shooting; but it would be almost impossible to control the bullets, which would fly about in all directions. He was told that during the week at Wimbledon there were 1,000,000 shots fired. If the Government consented to the proposal, not only the portion of the Park devoted to the meeting, but its neighbourhood, would be in imminent danger. Richmond Park was surrounded by a thickly-populated district, and with modern rifle shooting going on in the vicinity all sense of security and enjoyment would be entirely gone. As to the sylvan objection to the scheme, he believed that 75 trees had been marked for destruction; and if the cutting down of trees were once permitted, it was impossible to say what devastation might ultimately be involved. Again, if the proposed inroad on Richmond Park were once allowed, the precedent would be followed in other cases—a great many other open spaces in the neighbourhood of London might soon come to be seriously interfered with. This proposal came at a very inopportune moment, when hundreds of thousands of

pounds were being spent in order to increase the scanty number of breathing places for this great city. He did not believe that the great majority of Volunteers shared the opinions of the National Rifle Association. Most of them came from long distances, and could have no special interest in the exact spot chosen for the competition unless it was suggested to them. He did not believe they would wish to interfere with the comfort, convenience, and enjoyment of the public. He hoped the Government would not assent to this proposal, which, at the best, was only a makeshift scheme, and involved a gross violation of public rights as well as being a piece of intolerable Vandalism.

Viscount BURY said, he thought that all who had had to do with the management of the Rifle Association ought to share the responsibility undertaken by his noble Friend. It was in 1860 that Her Majesty made the first bull's-eye on Wimbledon Common. He stood by her side, and had taken part in every meeting since. If the noble Earl's estimate of 1,000,000 shots per Wimbledon meeting was correct, some 28,000,000 of shots had been fired at the range since the Wimbledon meetings commenced, and he was not aware that a single accident to the public had ever happened in that period. It was not, therefore, too much to say that the danger referred to by their opponents was purely imaginary. It should be remembered that those who fired were trained riflemen, under the orders of officers who were themselves practised shots. There was no reason to expect that the future would be different from the past. Extra care had always been used, and it was an exaggeration to say that bullets were firing all over the place. The people would not be deprived of the Park for a month, as the noble Earl had said. The meeting only lasted a fortnight, and it was proposed to hold it in a part of the Park to which the public were not admitted. It argued very little patriotism not to be willing to endure this possible inconvenience for so short a time. Those who had been Volunteers for 28 years knew the immense sacrifices which had to be made by men to render themselves efficient members of the Force. Many in the House could remember the constantly recurring panics of the last generation, and would admit that no small debt of gratitude was due to the men whose patriotism had relieved the country from those periodical panics. He claimed for the National Rifle Association that it had changed the English people into a nation of riflemen; and, if the Association were not to have their convenience in some degree consulted, it would be a very poor return for the very considerable amount of patriotism they had shown in the defence of their country.

The Earl of MEATH said, that having listened to the debate with great care he could not admit that any convincing argument had been used to show that the Volunteers required Richmond Park for purposes of shooting. If, as he had said, the majority of the Volunteers came from long distances, it would be a matter of very little consequence whether the rendezvous was a place within two or three miles of London or 10 or 20 miles of London. He declined to allow, even for a moment, that he was unpatriotic in not at once jumping to the conclusion that it was absolutely necessary for the protection of the nation that the Volunteers should shoot in Richmond Park and nowhere else. On these grounds he was distinctly against the prayer of this Petition, and he hoped Her Majesty's Government would not grant it.

The Earl of FEVERSHAM said, that as one who had been a member of the National Rifle Association for 20 years, and done all he could to support the Volunteers, he believed that if a rifle range were chosen well away from London, in some open part of the country where they could enjoy field exercise and drill, as well as engage in shooting, it would do more to promote the efficiency of the Volunteers than merely coming up to London for a fortnight in the year, to shoot in Richmond Park. The noble Lord had pointed in triumph to the Petition in favour of Richmond Park, signed by 4,000 persons; but, as he understood, the Association sent down a notice requesting all the mayors to sign the Petition, and many of them had done so really knowing nothing of what they were signing, having no knowledge of Richmond Park whatever, and never having been there, he should think. That was the way things were got up. As against the 4,000 petitioners, he would point to the

4,000,000 of Londoners who would not wish any of their not too ample breathing space taken away from them, and who, he hoped, would long have Richmond Park preserved to them intact.

THE DUKE OF CAMBRIDGE: My Lords, I have been so pointedly alluded to by the noble Lord who brought forward this question that I feel bound to make some remarks. I am sorry to detain your Lordships, but statements have been made as though I were the person who mainly opposed the scheme for securing Richmond Park for the National Rifle Association in addition to putting a stop to the shooting at Wimbledom. I hope noble Lords will understand that I am as great a friend of the National Rifle Association as the noble Lord (Lord Wantage). I concede to him nothing in that respect; but I cannot understand why the position and fate of the Association should be dependent on the question of shooting either at Wimbledon or at Richmond Park. If I were convinced that there is no other place suited to shoot at but those I have named, of course the case would be quite different; but I cannot imagine why, in this country, where we have all sorts of ground available for various purposes, it is impossible to find another place where the shooting could be carried on in exactly the same manner, and I believe a better manner, than at Richmond Park. In answer to the noble Lord, I would only refer to the letter which the noble Lord himself wrote. He wrote a letter in which he very wisely, as I thought, said that if Wimbledon should cease to be available, it would be a good thing to consider whether a large space of ground could not be found where the shooting of the National Rifle Association should take place, and where Volunteers could be collected from time to time for the purposes of exercise and drill. I thought that a most admirable proposition; and if the noble Lord will only adhere to his own view of the case as stated in that letter, he may depend upon it that I will support him by every means in my power. As my name has been so prominently put forward by the noble Lord, I ought perhaps to state that as Commander-in-Chief no question has ever been put to me on the subject; but I was addressed as Ranger of Richmond Park, and in that capacity I was approached one day by the noble Lord, who said that it had been suggested—I am open to correction if I am wrong—to Her Majesty that it would be very desirable that, as the National Rifle Association was not to remain at Wimbledon, they might have the use of Richmond Park; and I understood from him—he will correct me if I am wrong—that Her Majesty had so far assented that she said she personally would have no objection, provided the authorities who had to deal with such a case were of opinion that no evil results would follow. That was a natural question to be put to the Ranger, and the question having been put to me, I most distinctly told him that, while I would consider the matter till next morning, I was afraid there were a number of reasons—of danger and the public use of the Park—which would make it undesirable that the National Rifle Association should be allowed to shoot there. Next morning I wrote a letter to the noble Lord, and he will be so good as to remember that I distinctly laid down the reasons why I gave that opinion. I said I considered the time had come when all shooting at targets ought to take place away from villas, gardens, or habitations. I did not mean that the Volunteers should go to a Sahara, to a distant or disagreeable portion of the country, because I think there are large tracts of land perfectly accessible, and which are still perfectly safe. I submit I did my duty as Ranger of the Park in giving that opinion. To my great surprise, and without consent or notice—your Lordships will remember I am at the present time the President of the National Rifle Association, elected annually by that Association, several times having tendered my resignation at the business meetings, being always re-elected—in spite of that fact, at the very last meeting, when I was again re-elected in the same way, the noble Lord, without any notice, as I have remarked, said—"I am going to make a statement about Richmond Park." Well, I was astonished beyond measure, because, at all events, I supposed the question would have had some further elucidation before such a statement should be made to the meeting. I wrote to the noble Lord immediately, and explained to him that I had nothing to do with the decision on the question; that it lay really with the Chief

Commissioner of Works and Her Majesty's Government, and that I, as Ranger, would carry out what orders I received either on the part of Her Majesty or Her Advisers. I have no more to do with the stopping or not stopping the shooting at Richmond Park than the noble Lord has himself. An application was then made to the Chief Commissioner, and the Chief Commissioner had an interview with gentlemen representing the Association. Such is the way in which this singular idea has been put forward—that I, in my individual capacity, have put a veto on shooting in Richmond Park. As regards shooting there, I may just observe that I ought to know something about the Park. It was stated that the portion desired for the purposes of the Association is not part of the Park. It is as much part of the Park as any gentleman's park in England who has a certain portion hedged off for the purpose of feeding cattle or of providing grass for deer which have to be maintained in the winter. It is my impression that it is for such a purpose that this portion of Richmond Park has been distinctly kept. It is a most extraordinary idea that this land does not belong to the Park—most singular. If you were going to shoot into the part of the Park which is not used by the public, I can understand the argument; but the shooting is proposed to be from this portion into the Park. Now, with regard to the question of trees. What I say is, that you are going to cut down trees in a portion of the Park which will very materially affect the appearance of the Park. I was very much astonished to hear that a General Officer had said that only three trees would have to be cut down. I have taken considerable trouble to ascertain the number considered necessary, and I understand there are 75 trees which would have to come down. I quite agree with what was said by one noble Lord, that when you once begin cutting down trees, there is no doubt that very many more will probably follow; it is a case of first this tree and then that tree being discovered to be in the way. Then it is stated that there is a great rise in the ground. Well, measurement has been made, and it shows that the highest point behind the 1,100 yards' range is 42 feet. I ask your Lordships whether that is a safe mode of shooting? But we are told that there are such a number of trees that they will stop any number of bullets. All I can say is, I should be sorry to see that considered as safe; because my noble Friend must know as well as I do that it very often happens that when anything is hit, the glance of a bullet is very much more dangerous than a direct shot. Allusion has been made to a military officer himself having gone down there, and having said, very properly, that, as a range, nothing could be better. But that is not the question—the question is, Are you to seek a range in Richmond Park? I have no doubt there are plenty of good ranges; but are you to seek a range in the Park when the very fact of your being in the Park at all under such circumstances must be a danger to the public? We are told that only half the Park will be taken. I must say I should be sorry to drive about the Park during the shooting, and I do not think your Lordships would care to send your families there. I believe that if the National Rifle Association go into Richmond Park you will have to shut the Park for the time being during the shooting hours. Then I am told that, though the preparation for the meeting and the putting of the ground in order again will take about six weeks, only 12 days are occupied in actual shooting. Are we to be told that Richmond Park is to be made available for 12 days' shooting when you can find other places if you only look for them? Have the noble Lord and his Friends gone into the question of other ground? No doubt they have heard of other ground, but what further notice have they taken? None. At least I have heard nothing about it. I do not understand how a distance from London of 16 or 17 miles is to be any real detriment to the National Rifle Association. I believe it stands upon much firmer footing, and I should be sorry to think that it stood on such a delicate footing that it would be seriously affected by a distance from the Metropolis of 16 or 18 miles, or even 40 or 50. It may be a *façon de parler* which I had, perhaps, better not use to say that I know several places; but I know excellent places for such a purpose. For instance, there is one near Brighton; there is also Pirbright, if the Government would agree

The Duke of Cambridge

to it—and I believe they would. I know that Pirbright has been sneered at by some noble Lords; but Her Majesty's Guards shoot at Pirbright, and I cannot see why civilians should not shoot on the same ground as soldiers. It is suggested that screens might be put up behind the targets. The noble Lord who makes that suggestion looks at the matter from one point of view, while I look at it from another; but I do think I know more on that point than the noble Lord. I say frankly and honestly that there is very considerable danger, and I can assure him that a large number of bullets are annually picked up in my neighbourhood. For 28 years I have said nothing about it. I have always wished that the Association would go somewhere else; but I have never said anything all that time. When, however, I heard that nothing was to be done in this direction, and that they were going to spend money on butts in order to remain at Wimbledon, then I considered that the time had decidedly come—and I said it generously and without any bad feeling—for them to seek ground elsewhere, which I should have thought they could have found by this time. Some people have been under the impression that I did it for myself and my interests only. Certainly I have not overlooked my interests; I do not see why I should not look after them when they are seriously interfered with. Considering that during 28 years I never said a word, I do not think I have been very grasping or ungenerous to the National Rifle Association; but I must frankly say that I considered it my duty also to look after the interests of my neighbours, many of whom are not as safe as the noble Lord seems to think they are. The noble Lord who brought forward this question spoke of cottages from which the inhabitants never moved, though they were in the line of fire. I do not know to what cottages the noble Lord referred, but I think that he is under a mistake; I know people who have to leave their house whenever the National Rifle Association is at Wimbledon. I consider that shooting now, with the improved rifles, is far more dangerous than it was when it commenced at Wimbledon, and we have to look forward to its being still more dangerous; and therefore why should we make a range for a short period of time when, as the noble Lord said, the time cannot be far distant when they must go elsewhere? Therefore, I say, that in the interests of the National Rifle Association it would be far better for them to make up their minds to the inevitable, to the growth of population, and the increase of London, and to seek a new place where all the advantages of the old one would be found. I have been over and over again described in connection with this matter as an enemy to the Volunteers. Am I to be told that the Volunteers—that great and fine body of men—depend upon the National Rifle Association for their existence? I have a much higher and more exalted idea of the Volunteers of England. I believe they are men who can be depended upon and relied upon; and though they, no doubt, rejoice in having an opportunity of shooting for prizes and showing their prowess, I do not believe for one moment that it will make the slightest difference as to their numbers whether the National Rifle Association exists or not. I hope it will continue to exist; I will give it every assistance in my power. But it is an extraordinary thing that anyone who opposes the peculiar views which it now puts forward must be considered an enemy to the Association or to the Volunteers of this country. I am afraid I may have been somewhat warm in making these observations; but the fact is, I certainly do feel strongly that I have been put forward very unfairly by a large section of persons because I have given my opinion honestly and fairly in my capacity of Ranger, and in no other capacity, and because I merely stated to the noble Lord what my opinion was on his proposal, which was that of taking advantage of Her Majesty's having permitted him to ask the question whether Richmond Park might not take the place of Wimbledon.

THE EARL OF WEMYSS said, the illustrious Duke suggested that the National Rifle Association looked upon this annual meeting as vital to its existence. It was not a question whether the National Rifle Association would cease to exist or not. What they urged was that its national character would be changed, and that its double purpose—namely, to encourage the Volunteers, and to make this nation a nation of riflemen like the Swiss—would be in danger of ceasing if they were driven to a dis-

tance from London. His noble Friend who introduced this subject had put this matter, and, indeed, the whole bearings of the question, so clearly before that House that had it not been for some remarks that had fallen from the illustrious Duke he should not have thought it necessary to intrude himself upon their Lordships' notice. The Gold Medal of the Association, which went with the Queen's Prize, told what the nature of their Association was. On the left there stood the figure of an archer with the date 1300, on the right there stood the figure of a rifleman with the date 1860, thus showing how the founders of their National Rifle Association hoped to make the rifle in their day what the bow was in the earlier times of English history—namely, not only an effective weapon of defence, but also an arm of amusement, which from its accuracy and range would lead men to meet in friendly rivalry at the butts, and make rifle shooting a national pastime, in which all, the classes and the masses, would equally take part. They believed that rifle shooting induced men to remain Volunteers who otherwise would cease to be in the Force. When they brought not only Volunteers but "all comers" to the rifle contests it was necessary that they should be near London. When they started at Wimbledon they tried to make the meeting as pleasant as possible to those who came there, whether Volunteers or not. They induced Jenny Lind to sing to the Volunteers, and they got, among other pulpit celebrities, the Bishop of Peterborough to preach to them. And now the social pleasant camp life was sneered at and denounced as a demoralizing picnic and "adventitious attraction." Greater rubbish was never talked than that about picnicing on Wimbledon. The Military Authorities appointed an officer, generally an officer in the Guards, to command the whole. There was also a camp officer. He would like the illustrious Duke to say whether, notwithstanding all this picnicing, there had been any case of misconduct on the part of any Volunteers? Let them, then, hear no more of that rubbish about picnics. But now they had to find some suitable place for their meeting—banished as they were from Wimbledon—and Richmond Park seemed to be the most suitable. It was said that they had not sought elsewhere for a fit place; but that was not so. A Committee of the Council had made all possible inquiry, and the result was that no place appeared to them to be so well adapted to their wants as an outlying portion of Richmond Park, from which the public were always excluded, and which was used for agricultural purposes. They heard much of public opinion on this subject; but there was a public opinion which was worth considering, and that was the opinion of the Volunteers who came to Wimbledon from all parts, not for the purpose of learning to shoot, but for testing the shooting taught elsewhere. At a mass meeting held at Wimbledon he put this question on the 1st resolution—"Are you of opinion that it is desirable that the meetings should be held near London?" and there was not a dissentient voice. His noble Friend had referred to a very important part of the question—namely, a permanent range. He had shown it was not at all the object of the National Rifle Association to have a permanent range. If you were to have one, no one would come from Canada, from Australia, from India, from Scotland, or other parts, simply for the reason that you must have a neutral range where no men were in the habit of shooting. The illustrious Duke had, at a dinner at the "Star and Garter," spoken of dozens of ranges as being available; but here he had only mentioned two places which he thought would be suitable—one of them was Brighton Downs, the other Pirbright. He supposed his noble Friend (the Earl of Fife) had not got a villa there. ["No."] Brighton Downs, he admitted, would be perfectly safe; but did the illustrious Duke think that Brighton Downs fell within the category of places near London?

THE DUKE OF CAMBRIDGE: It may not be near London, but, as a matter of fact, the Railway Company would take the men down to that place in an hour and bring them back in an hour—that is, two hours—for half-a-crown; and I do not think the thing could be done cheaper or better to Wimbledon.

THE EARL OF WEMYSS said, that Wimbledon was assuredly nearer to London, and 6*d.*, the present railway fare there, was certainly a less sum than 2*s.* 6*d.* And now as to Pirbright, the other place named by the illustrious Duke. That might do very well for soldiers, but it would not do for Volunteers. There was very much mirage in the

month of July, and you could not shoot with mirage—the target danced before you. Soldiers shot early in the morning, and if they did not shoot to-day they could put it off until to-morrow. But here you had men brought a long distance, and the whole thing would break down if they could not shoot at certain hours. If they went from London they changed the national character of the Association. He meant by "national" what interested everybody equally in rifle shooting, the classes and the masses. He believed rifle shooting was a great element in the continuity and permanence of the Volunteer movement. One word about Richmond Park. Richmond, they were told, was not to be thought of. The sylvan beauties of the Park would be destroyed; the ranges would be unsafe. Now, as it happened, on the outlying portion of the Park that they proposed to occupy there were few, if any, trees of any value. There was, no doubt, a druidical worship of all trees which he quite understood—indeed, his own feeling was at first strongly against the Richmond plan; but, looking at it exactly as he should if a similar request were made for the use of his own park, he could truly say no injury would be done to the beauty of the Park. His noble Friend on his right said that the public would be excluded from the Park for months. They would be only excluded from two-fifths of the Park—where about 15 persons passed in a day—for a portion of 12 days of each year. The illustrious Duke, in his speech at the Star and Garter, talked about the danger at Wimbledon, because of the necessity for policemen to keep the public off the ground. If they had at Wimbledon a cordon of police, in addition to their danger-signal, it only showed the extra precautions they took. But would His Royal Highness tell him of any range in the Kingdom where soldiers or Volunteers shot that had not got a danger-signal up, which implied that no one should pass behind the ground? Something like 28,000,000 shots had been fired at Wimbledon without a single accident. No range in the Kingdom could be considered safe from the accidental discharge of a rifle which might go off in any direction; but at Wimbledon there was not a single accident from a stray bullet during the whole time. The butts at Richmond might or might not be permanent; they would not be seen from the Park; but if they were permanent butts they might be covered with gorse or hid by planting. With regard to the trees, they were told that 75 must come down. But there were scarcely any trees of any value and only three very valuable which would have to come down. Some, too, might be transplanted, trees even of considerable size, out of the line of the ranges.

THE DUKE OF CAMBRIDGE: Trees 8 feet round would have to come down—about 50 of them.

THE EARL OF WEMYSS said, his noble Friend (the Earl of Fife) who had just spoken on behalf of the villa holders—himself being one—and of the inhabitants of Richmond, had drawn a most touching picture of ruin to property, and of the agonized state in which they and those for whom he spoke would be kept by their rifle meeting. But, saddening as was the thought of his noble Friend, shaking and shivering in his villa——

THE EARL OF FIFE rose to explain. His noble Friend had referred to him more than once as a villa-owner. He admitted that he had villas in the neighbourhood, but it was not as a villa-owner that he opposed this scheme. He opposed it because he had been asked to do so by a body representing thousands of persons resident in the neighbourhood.

THE EARL OF WEMYSS asked, whether his noble Friend knew how far these shivering ladies and gentlemen whom he represented would be from the firing point? They would be two and a-quarter miles, and, that being so, he maintained they were perfectly safe ranges. Why, if that range was unsafe, every range almost in England was. [Lord HARRIS assented.] He was glad to see that his noble Friend the Under Secretary of State for War agreed with that. But was it unsafe? His Royal Highness had told them that Major Burton, the specialist he sent down to examine the proposed ranges, considered them of ample extent; but he was greatly mistaken if he did not also report upon them as being safe. And he would ask His Royal Highness if that was not so? He owned he should like to see Major Burton's Report. And, as regarded depriving the public of the enjoyment of Richmond Park, it must be remembered that it would only be

used for a portion of 12 days in the year, and that the portion of the Park so under fire was very little frequented. All that part near Pembroke Lodge and the "Star and Garter" would be as safe and available as it now was. And, by proper precautions being taken, there would be no danger to the public in the Park. He asked His Royal Highness to show him a safer place. If a better and safer place could be obtained, by all means let them have it. The matter really came to this—that if the National Rifle Association was to fulfil its purposes as originally intended, and was to be a great public institution, its annual rifle meeting must be held in the neighbourhood of London; and the Committee appointed to make inquiries could find no site near London so convenient as this site in Richmond Park. He himself went down to the Park prejudiced against the scheme; but after viewing the site he readily assented to it, because he believed that what was required could be done without any injury to the Park or any inconvenience to the public. His noble Friend the Chairman and the Council of the National Rifle Association had done their duty in trying to find the most convenient site, and the Volunteers had done their part in backing up their decision. The Vestries of St. Martin's and St. James's had petitioned in favour of the scheme. [*Laughter.*] It was all very well to laugh at Vestries, but they had constituents, and whatever the Vestry said might be taken as the general opinion of the inhabitants. Then there was a Petition signed by 60 Peers and a Petition signed by 100 Members of the House of Commons. And now he had only this more to say—that, believing as they did that rifle shooting was a great stimulus to Volunteering, and helped to maintain the permanence of the Force, they thought it essential to the national character of their Association that its meetings should be held near the Metropolis. It was for the public to judge; but he thought it should be borne in mind that the work the Volunteers had done for the last 28 years had rendered the enforcing of the ballot for the Militia unnecessary. Why, every Englishman was bound by the existing law of home military service—now annually suspended—to serve in the Militia for home defence; and if the Volunteer Force were to disappear, this law would have immediately to be put in force, and in less than three months Sir John Whittaker Ellis and his constituents would be doing "goose step." They had never asked for anything before—[*Laughter*, in which the Earl of Kimberley joined]. What had they ever asked for? Only for what was necessary for their efficiency. They really treated the Volunteers as if it was a favour to allow them to serve, whereas they were doing the nation a favour by so serving. This was the first time the Volunteers had come forward and asked for something they believed to be essential to the original constitution of their Association, and he could not help thinking it would have been a graceful act on the part of the Government and the public if they were to concede the request of the National Rifle Association.

LORD CHELMSFORD said, he believed that this proposal would be injurious to the Volunteers, and that if the National Rifle Association were to die to-morrow it would make no difference in the shooting of the Volunteers. No doubt, the Association gave a start to rifle shooting which everyone must value highly, and they deserved great credit for that movement; but that spirit had spread throughout the country, and if the Association said that if they died out rifle shooting would die out, he contended that that was utterly and entirely a mistake. He could not help thinking that the National Rifle Association had not been fair in their arguments in this matter. They had used the name of the illustrious Duke in a way which made him extremely angry. They ought rather to have expressed their gratitude to him for being allowed to use Wimbledon for 28 years. He should like to have a *plébiscite* taken of the Volunteers with regard to Richmond Park. He believed the Volunteers valued the shooting at Wimbledon very little, except, perhaps, a very small minority, who merely looked to the "pot-hunting." He trusted the Association would look about for some permanent place where they would be able really to assist the Volunteers in their shooting, and where they could continue to be of value to the nation in the future as they had been in the past.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I am unable at the present moment to give any answer to my noble

Friend on behalf of Her Majesty's Government, for this question is still under careful inquiry. But I rise to enter my protest upon one or two matters. I cannot help thinking that the tone of my noble Friends who represent the National Rifle Association is somewhat unfair to the public. They appear to think that the position in which they are placed is the result, if not of actual hostility, at any rate of want of appreciation of the services they have rendered. I am sure that there is no such want of appreciation of their services. I admit that they have rendered great services, and all of us take an interest in their welfare. Whether they can be admitted to Richmond Park or not, the fact that they have been driven from Wimbledon, and so far removed from the Metropolis, is not the result of any want of appreciation or of hostility, but of the necessary action of causes constantly going on. The country is becoming more crowded. Above all things, the Metropolis is becoming more crowded, and side by side with this is the counter movement that the range of these weapons of precision is increasing every 10 or 20 years. This is not the result of any feeling against the Volunteers, but of the action of natural causes. Grounds which some years ago were perfectly suitable for use as rifle ranges. have, by reason of the increase of population and of the increase of the range of weapons, necessarily become unsafe for such purposes. Whatever decision is arrived at in this particular matter, it is inevitable that rifle ranges must be driven further away from the centres of population. It is impossible to resist this tendency. Only last night we were discussing a somewhat similar point with regard to a range near Portsmouth upon which shooting has gone on for 50 years without objection, as long as the Solent was not so crowded with navigation, the fisheries were not so frequented, and the range of the rifle not so extensive. But now complaints have arisen with regard to that range, and there has been an accident. This is an illustration of the process that is going on. I hope that the speech of the illustrious Duke will be a valuable warning to the Volunteers throughout the country in regard to this matter, so that they may make their arrangements accordingly. The only other point on which I desire to say a word is as to the responsibility in this case. I wish it to be distinctly understood that the responsibility of arriving at and pronouncing a decision on this matter as to Richmond Park rests with us. Her Majesty's name has, I think most improperly, been introduced. Her Majesty, as is her wont, has expressed her willingness to sacrifice any personal rights of her own for the benefit of the Volunteers. As far as her own rights are concerned, she has expressed her willingness to forego them; but, of course, Her Majesty's decision must be made subject to the advice of her responsible Advisers, who must have regard to the general interest of the public. In the same way, with regard to the illustrious Duke—he had not to decide whether the National Rifle Association could use a portion of Richmond Park—he has given us his opinion, which, owing to his military and local knowledge, we consider of the greatest value; but the decision does not rest with him. The responsibility rests with us and us alone, and it is against us that any blame must be directed. The determination of this matter turns on very solid considerations. Sentiment is altogether out of the question. I do not think that we ought to decide in favour of the Rifle Association in order that the Volunteers may enjoy the advantages of singing and the preaching of the Bishop of Peterborough, or in order that they may secure that day's outing which the noble Lord says is their right. On the other hand, I am not much moved by the destruction of 70 trees. If it is necessary that 70 trees should be sacrificed for a public object the trees must go. But what I am moved by is the consideration whether Her Majesty's subjects would be safe if this arrangement were adopted. Will they be safe in going from one place to another where they have a right to go? Will they be safe upon adjoining private property, and in all other parts of the Park to which they have a right to penetrate? Whatever the inconvenience may be to the National Rifle Association, Her Majesty's subjects cannot be exposed to real and substantial danger. My noble Friend spoke with enthusiasm of the heroism of a certain laundryman who pursued his avocation at Wimbledon in the line of fire, and in spite of the constant rain of bullets. He is a

worthy son of the race from which he springs, but the noble Lord cannot expect all Her Majesty's subjects to have the heroism of that man. My own belief is that the majority of them prefer that the part of Richmond Park to which they have admission should be free from the inconvenience of rifle bullets whistling over their heads. The noble Lord, with great love of his art, said that the public might with absolute safety place themselves in front of a rifle held by any person under the guidance of the National Rifle Association; but something must be allowed for the nerves of Her Majesty's subjects; and if rifles are pointed in their direction and they are in the range of those rifles they will not have that absolute certainty which the noble Lord enjoys. However, I am not attempting to give an answer to my noble Friend. I am not now authorized to speak on the subject. We will give it the best attention in our power, and we shall be guided by no sentimental considerations. We shall recognize fully the high services rendered in the past by the National Rifle Association, and we shall do our utmost to extend to it all facilities that are consistent with the right and safety of Her Majesty's subjects.

EARL GRANVILLE said, he fully agreed with the remarks that had fallen from the noble Marquess—even as to the detail of 70 trees. It was only right to point out that the objection which came from some of his friends as to the use of Richmond Park for the purpose of the National Rifle Association meeting was not because of any feeling against the Association or the Volunteers, but because they thought the use of the Park for such a purpose would be fraught with danger to the public.

BUSINESS OF THE HOUSE—COURSE OF PUBLIC BUSINESS.

QUESTION.

EARL GRANVILLE asked whether the noble Marquess could give the House any information as to the course of Public Business?

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) said, it was always dangerous to prophesy, but he understood there was a probability of the Local Government Bill passing through the House of Commons that night. In that event the Government would rely upon the devotion of some of their followers remaining, in order that the Bill might be read a first time in their Lordships' House that night. His impression was that there was a general agreement in their Lordships' House as to the principle of the Bill, though all their Lordships did not agree with some of the details. It was, therefore, desirable that the measure should be considered in a full House, and he proposed to take the second reading on Tuesday. The Committee stage, however, would not be taken until the following Monday.

DANGEROUS PERFORMANCES AT THE ALEXANDRA PALACE.—QUESTION.

THE EARL OF MILLTOWN asked Her Majesty's Government, Whether the attention of the Home Office has been directed to an announcement in the papers that a Professor Baldwin will, at the Alexandra Palace, on Saturday next, jump out of a balloom 1,000 feet above the ground; whether it is believed that the announcement is genuine; and, if so, whether measures will be taken to prevent so dangerous and demoralizing an exhibition?

THE PAYMASTER GENERAL (Earl BROWNLOW) said, the attention of the Home Secretary had been called to the subject, and he had requested the police to make inquiries. The police had been asked, if it were true, to warn the persons responsible of the serious consequences which might ensue if the feat were attended with fatal result. There was no legislation to prevent an adult indulging in foolish or dangerous feats. There had been cases where foolish feats had been prevented, such as the case of Blondin, who was going to wheel a child in a perambulator—in a barrow he meant—along a rope a great height above the ground.

House adjourned during pleasure.

House *resumed*.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.

Brought from the Commons; read 1ª; to be *printed;* and to be read 2ª on *Tuesday* next.—(*The Lord Balfour.*) (No. 238.)

House adjourned at One o'clock A.M., to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 27th July, 1888.

MINUTES.]—SELECT COMMITTEES — *Report* — Navy Estimates [Third Report] [No. 304]; Emigration and Immigration (Foreigners) [Inquiry not completed] [No. 305].

PUBLIC BILLS — *Ordered* — *First Reading* — Doddingtree and Bewdley Bridges * [352]; Municipal Corporations (Local Bills) (Ireland) * [351]; Expiring Laws Continuance * [353]; Metropolitan Board of Works (Money) * [354]; Public Works Loans * [355].

Report of Standing Committee on Trade, Shipping, and Manufactures—Sea Fisheries Regulation [No. 303].

Further Considered as amended — *Re-comm.* — *Committee*—*Report*—*Considered as amended*—*Third Reading*—Local Government (England and Wales) [338], and *passed.*

Withdrawn—Liquor Traffic Local Option (England) [119].

QUESTIONS.

POOR LAW APPOINTMENTS (WALES) —PUBLIC VACCINATORS.

MR. ARTHUR WILLIAMS (Glamorgan, S.) asked the President of the Local Government Board, Whether he is aware that there is no vaccination station in Wales at which a public vaccinator is authorized to give the certificate of proficiency in vaccination required by the Local Government Board of every medical man before he can hold a Poor Law appointment, and that, in consequence, medical men obtaining Poor Law appointments in Wales have to make journeys, at much expense and inconvenience, to Bristol, Liverpool, or London, to obtain their certificates; and, whether he will take steps for appointing a public vaccinator in two or three of the larger Welsh towns?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The hon. Member is under a misapprehension in supposing that a certificate of proficiency in vaccination is required by the Local Government Board of every medical man before he can hold a Poor Law appointment. The certificate is required, not for a Poor Law appointment, but for the office of public vaccinator. It is the case that there is no public vaccination station in Wales at which this certificate can be obtained; but the Board are not aware that any serious inconvenience has been occasioned thereby. The College of Physicians, the College of Surgeons, and the Apothecaries Society now require the certificate from every candidate for their diploma or licence, and hence most medical men now obtain these certificates before entering on practice. It is not usual to appoint examiners to grant these certificates in towns in which there is no School of Medicine. But if a Medical School should be established for Wales, I shall be prepared to consider the question of appointing an examiner who would be authorized to give these certificates.

DEAN AND CHAPTER OF WESTMINSTER—THE STATUE OF THE LATE EARL OF SHAFTESBURY.

MR. A. M'ARTHUR (Leicester) asked the right hon. Member for the University of Oxford, as an Ecclesiastical Commissioner, Whether it is correctly stated in *The Daily News* of July 19, that the Dean and Chapter of Westminster, after having offered to place a statue of the late Earl of Shaftesbury in Westminster Abbey, have required the payment first of £400 and then of £250 before permitting its erection, and that, as the Memorial Committee have no funds available for the purpose, the statue remains in the studio of the sculptor; and, whether the claim is made at the instance or with the concurrence of the Ecclesiastical Commissioners, as receivers of the Abbey revenues; and, if so, whether, in consideration of the valuable services rendered to the nation by the Earl of Shaftesbury, the claim will be waived?

SIR JOHN R. MOWBRAY (Oxford University): I know nothing, as an Ecclesiastical Commissioner, of the statement in *The Daily News.* No such claim has been made at the instance, or with the concurrence, of the Ecclesiastical Commissioners. The Question relates to a matter with which the Ecclesiastical Commissioners have nothing whatever to do, beyond seeing, under the provisions of the Westminster Abbey Act just passed, that any fees received by the Chapter for the erection of monuments have been carried to the Fabric Fund.

NATIONAL EDUCATION (IRELAND)—COST OF THE MODEL SCHOOLS.

MR. PINKERTON (Galway) asked the Chief Secretary to the Lord Lieutenant of Ireland, If last year the expenditure of public money in the model schools was at the rate of £3 12*s.* per pupil in average attendance; if the number of new teachers appointed in the national schools was 552; and if only 33 of those had been pupil teachers in the model schools; if, in 1886, the passes in convent and monastery schools were higher than in model schools; and if this was notably so in the highest class; if the model schools are examined by the Head and District Inspectors; and, if the promotion of these Inspectors depends in any way on the success of these examinations?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Commissioners of National Education inform me that last year the expenditure of public money in the model schools was at the rate of £3 12*s.* per pupil, which, however, included the cost of maintenance of the pupil teachers boarded at the establishments, matrons, servants, and other incidental expenses. The numbers are as stated in the second paragraph; but the 33 pupil teachers are exclusive of seven others who became teachers from Training Colleges, having, before they entered the Training College, been pupil teachers. The passes in 1886 show a very slight superiority in the infants and sixth classes of the convent and monastery schools over those of the model schools; while, as regards the first, second, third, fourth, and fifth classes the position is reversed. The aggregate percentage of passes is nearly equal in the two classes of schools, being in the former 90·1, and in the model schools 90 per cent. The reply to paragraph four is in the affirmative. To paragraph five in the negative.

LITERATURE, SCIENCE, AND ART—BUILDING GRANT FOR SCIENCE SCHOOLS.

MR. A. H. DYKE ACLAND (York, W.R., Rotherham) asked Mr. Chancellor of the Exchequer, Whether the Treasury would be willing to sanction the removal of the restriction on building grants for Science Schools, which makes it one of the conditions of grants in aid to such schools that they be built in connection with a School of Art, aided by a Departmental building grant?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square), in reply, said, that he must at present answer the Question in the negative. Great expenditure was being pressed upon the Government in connection with Technical Schools, grants for Colleges, and for the development of scientific and technical education. The Government was in sympathy with the movement; but it was necessary to look at the question as a whole, and to bring all these schemes together, and then to see in what order, and to what extent, these claims could be met.

MR. A. H. DYKE ACLAND: Will the right hon. Gentleman do everything he possibly can to urge on legislation in this matter?

MR. MUNDELLA (Sheffield, Brightside) asked, whether the right hon. Gentleman could give any answer about the grants, seeing that they were near the end of the Session?

MR. GOSCHEN said, that the method of carrying out the undertaking previously given proved to be extremely difficult. The matter was not in his hands, but in those of the Education Department, which had been looking into the various projects, and endeavouring to form a scheme. He assured the right hon. Gentleman that with all his desire to promote education he would find it difficult to formulate a scheme. The Government would do their best to facilitate legislation on technical education; but the right hon. Gentleman would see that it was impossible for the Government to undertake this Session more than they had already done.

INLAND FISHERIES (SCOTLAND)—ROD FISHING FOR TROUT.

MR. A. L. BROWN (Hawick, &c.) asked the Lord Advocate, Whether it is the case that the tenant of Abbotsford has intimated his resolution to stop all angling by the public for trout in the half mile or so of Tweed which touches that estate; whether it is the case that a gamekeeper on the Neidpath Estate of the Earl of Wemyss has announced that within a month the public will be excluded from the water between Manor-

foot and Peebles; whether these two stretches of water have hitherto always been open to the public for trout fishing purposes; and, whether, on account of the action of many proprietors in excluding the public from fishings to which they have had access from time immemorial, he will bring in a Bill to give the public free rod fishing for trout on all rivers, streams, and natural lochs in Scotland?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I am not aware of the facts stated in the first three Questions. But, assuming them to be correct, the question of the right of trout fishing in these waters is one which can only be settled in a Court of Law, and must depend upon title. I do not intend to bring in a Bill for the purpose suggested by the hon. Member.

MR. ANDERSON (Elgin and Nairn) asked the Lord Advocate, why the Government had not introduced their Salmon Fishing Bill, which had been repeatedly promised?

MR. J. H. A. MACDONALD: I do not think that arises out of the present Question.

MR. A. L. BROWN said, that seeing that the Lord Advocate had so often promised to bring in a Fishing Bill, would he consent to print it, in order that they might see how the Government proposed to deal with the serious grievance which had arisen under the present unjust laws?

MR. J. H. A. MACDONALD: I will consider that point.

CRIMINAL LAW (IRELAND) — DISCHARGE OF AN INSANE PRISONER FROM LIMERICK GAOL.

MR. JORDAN (Clare, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the report is true that a man named Kennedy, from Clare, who was sentenced under the Crimes Act to a month's imprisonment in Limerick Gaol for taking part in a National League meeting on the Shannon, has become insane, and is discharged by the order of the authorities to obtain the care of his friends at home?

MR. COX (Clare, E.) also asked, Whether it is a fact that a prisoner under the Criminal Law and Procedure (Ireland) Act named Kennedy, from County Clare, has been discharged insane from Limerick Prison before the completion of his sentence; and, if so, whether an inquiry as to his treatment while in prison will be instituted?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The General Prisons Board report that a man named Kennedy, from Clare, had been committed to Limerick Prison under a sentence of 21 days' imprisonment. Some 10 days afterwards he exhibited signs of insanity, and was removed to the district lunatic asylum.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, whether the right hon. Gentleman had any objection to place in the hands of the House materials to enable the House to judge how the man became insane in prison?

MR. A. J. BALFOUR: No; I have no grounds.

MR. SEXTON said, he did not ask what grounds the right hon. Gentleman had; but he asked whether he would afford the House material to enable them to judge how this man became insane?

MR. JORDAN: Has this man been sent home to the care of his friends?

MR. A. J. BALFOUR: I am informed that he has not; but that he has been sent to an asylum.

DR. TANNER (Cork Co., Mid): Is he under the care of Dr. Barr, or any of his confederates?

MR. SPEAKER: Order, order!

EJECTMENT AND CIVIL BILL DECREES (IRELAND).

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can state the number of ejectment decrees for non-payment of rent, and also the number of Civil Bill decrees for the recovery of rent which have been granted at the recent sitting of the County Court in each of the following towns in the County of Down—namely, Downpatrick, Newtownards, Banbridge, and Newry; and, how many of these decrees include the old rents of holdings in respect of which the fair rents have not yet been fixed?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, he had asked for a Report

on the matter, but had not yet received it. He was not yet aware how far the information required would be available.

COAL MINES, &c. REGULATION ACT, 1887, SEC. 54—THE CUMBERLAND COLLIERIES.

SIR WILFRID LAWSON (Cumberland, Cockermouth) asked the Secretary of State for the Home Department, Whether it is his intention to give notice that the Special Rules for the Cumberland Collieries be revised as per 54th section of "the Coal Mines Regulation Act, 1887?"

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; it is my intention to propose Special Rules for the Cumberland District under the 54th section of the Mines Act of last Session.

WAR OFFICE—HOURS OF LABOUR IN GOVERNMENT WORKSHOPS.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): asked the Secretary of State for War, If it is the case that eight hours is the recognized working day in the Government workshops except at Enfield?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle), in reply, said, the regular working hours of an ordinary day in the Government establishments were 9½.

NAVY—HOURS OF LABOUR IN NAVAL WORKSHOPS.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the First Lord of the Admiralty, If eight hours is the recognized working day at the naval workshops, Dockyards, &c.?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing), in reply, said, the average working day throughout the year of the men employed in the Dockyards was 8½ hours. The working day of the men employed under the Works Department averaged 9½ hours throughout the year.

POST OFFICE—HOURS OF LABOUR AT THE POST OFFICE.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.), asked the Postmaster General, If eight hours is the recognized working day in the Post Office?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University), in reply, said, in the Post Office the hours of attendance ranged from six to 10 a day, according to the nature of the employment.

MR. CUNNINGHAME GRAHAM asked, if it was not the case that those who worked only six hours a day were the superior clerks?

MR. RAIKES said, he had given all the information he had got; but, no doubt, it was the upper clerks' service where the work was only six hours.

MR. LAWSON (St. Pancras, W.), asked the right hon. Gentleman, whether any new Regulations had been introduced to shorten the excessive hours of the London postmen?

MR. RAIKES: I cannot say that any Regulation has been issued with regard to the hours of London postmen; but constant endeavours are made, as far as possible, to keep down the hours to a fair working day—that is to say, to as near eight hours as possible.

POST OFFICE, DUBLIN—APPOINTMENT OF ACTING SURVEYOR'S CLERK.

MR. TUITE (Westmeath, N.) asked the Postmaster General, Whether an officer of the Secretary's Office, General Post Office, Dublin, named Thompson, has recently been selected for employment as acting surveyor's clerk in Ireland; what is the length of his service in the Post Office; how many officers of the same rank as Thompson are there in the General Post Office, Dublin, the length of whose service exceeds his; whether the position of surveyor's clerk requires an extensive knowledge of postal and telegraph duties; how many branches of the Post Office has Thompson served in; and, on what principle of selection has such an inexperienced officer as Thompson been chosen before officers whose service in the Post Office so much exceeds his?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): Sir, in reply to the hon. Member's six inquiries, my answers are as follows:—1, yes; 2, five years and 10 months in the Public Service, eight months in the Post Office; 3, seven; 4, yes; 5, one; 6, because of all the eligible candidates Thompson was the most suitable for the purpose.

MR. TUITE asked how long had this officer been in the branch office?

MR. RAIKES: I am informed that he had been five years and 10 months in the Public Service and eight months in the Post Office.

THE CHANNEL TUNNEL WORKS—REPORT OF THE INSPECTOR OF THE BOARD OF TRADE.

MR. RADCLIFFE COOKE (Newington, W.) asked the President of the Board of Trade, Whether an Inspector of the Board of Trade has yet inspected the Channel Tunnel Works; and, if so, what is his Report as to their present state?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.): Yes; the works have been inspected, and have been found to be practically in the same condition as they were 18 months ago.

SIR WILFRID LAWSON (Cumberland, Cockermouth): Will the right hon. Gentleman lay the Report on the Table?

SIR MICHAEL HICKS-BEACH: Yes, Sir.

AMERICAN VISITORS TO IRELAND—POLICE SUPERVISION.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) (for Sir THOMAS ESMONDE) (Dublin Co., S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is a fact that visitors to Ireland from America are kept under special police supervision, and that the American Consul in Dublin has written to the Police Authorities complaining of their action in a certain case, and asking for an explanation?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Visitors to Ireland, as such, are not kept under police supervision. Dangerous or suspected characters are. The American Consul has neither complained nor asked for an explanation of the action of the police. He wrote to vouch for the character of an American gentleman staying in Dublin.

MR. SEXTON: As a matter of fact, was there no ground for the statement of the annoyance by detectives to which this gentleman was subjected?

MR. A. J. BALFOUR: I am not aware that he was subjected to any annoyance?

MR. SEXTON: Yes, he was. His luggage was searched.

MR. A. J. BALFOUR: I was not aware of that.

DR. TANNER (Cork Co., Mid) asked, whether the right hon. Gentleman's attention had been called to the case of some American gentlemen in Cork who had been similarly dogged by detectives?

[No reply.]

DR. TANNER: I will give Notice of this Question.

WAR OFFICE—EXPERIMENTS WITH MELINITE AT PORTSMOUTH.

MR. MUNRO FERGUSON (Leith, &c.) asked the Secretary of State for War, Whether, in view of the recent melinite experiments at Portsmouth, and seeing that a European Power of the first class has developed the use of that explosive during the last three years, and is now completely supplied with it in all branches of the Army and the Fleet, he can state whether the Government now regard the use of melinite as a necessary provision for the exigencies of modern war; and, if so, when it will be issued to Her Majesty's Forces?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The recent trials referred to were made with a higher explosive akin to melinite, but of which I am not prepared to divulge the composition. The results, though not yet complete, were of a satisfactory nature; and I have little doubt that, with the projectiles which are now under manufacture, we shall be able to make use of a high explosive.

MARKET RIGHTS AND TOLLS (SCOTLAND)—THE ROYAL COMMISSION.

MR. MENZIES (Perthshire, E.) asked the President of the Local Government Board, Whether he is in a position to state the names of the places in Scotland where the Royal Commission on Market Rights and Tolls intend to hold inquiries; whether he can give any information as to the time when those inquiries are likely to be held; and, whether the Commissioners will go themselves, or send Assistant Commissioners, to such places?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The Commissioners have decided to hold public inquiries into the management

of certain markets in Scotland, where abuses are alleged to exist or complaints are made, with reference to the levying of tolls or dues. The date of the contemplated visit of the Commissioners has not been fixed. It is not the proposal that the whole of the Commissioners but a quorum should visit Scotland.

WAR OFFICE—THE NAVAL AND MILITARY SERVICES—MACHINE GUNS.

MR. ROE (Derby) asked the Secretary of State for War, Whether, in view of the fact that since the last competitive trial seven years ago new machine guns have been invented and many improvements made in the older weapons of that class, he will institute a searching competition trial, in order that the best instrument may be discovered and issued to the Naval and Military Services?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): It is not desirable to tie the Government down to the exclusive use of any one machine gun. For different purposes different machine guns may offer most advantages; and the War Department will take good care to keep itself informed as to the progress of invention, so that it may be in a position to secure the weapon best adapted for use under all the varying conditions of our Service.

ARMS (IRELAND) ACT—TRANSFER OF A GUN LICENCE.

DR. TANNER (Cork Co., Mid) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Maurice Murphy, of Toames, near Macroom, who died a few weeks since, was the holder of a gun licence; whether his son, Maurice Murphy, handed the said licence to the authorities for the purpose of getting the transfer to his own name; whether a transfer was recommended by the local magistrates; and, why Mr. Caddell, the lately appointed Resident Magistrate, thought fit to refuse such a transfer?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am informed that it is the case that the man named applied for a transfer of the gun licence possessed by his father, who had recently died. The transfer was recommended by a local magistrate. The licensing officer, however, found upon investigation that it was not desirable a licence should be issued to the man, and he accordingly declined to accede to the application.

DR. TANNER asked, whether it was not a fact that the transfer of the licence had been recommended by a local magistrate who knew Murphy nearly all his life; while it was refused by Mr. Caddell, the lately appointed Resident Magistrate, who had only been a short time in the district?

MR. A. J. BALFOUR said, he had already stated that the transfer was recommended by a local magistrate; but he was not aware whether that magistrate knew Murphy all his life or not. The licensing officer refused the transfer.

POST OFFICE (TELEGRAPH DEPARTMENT)—PORTERAGE.

BARON DE ROTHSCHILD (Bucks, Aylesbury) asked the Postmaster General, Why stringent orders have recently been given to enforce the Rule as to the prepayment of porterage on telegrams instead of, as heretofore, allowing the Rule to be relaxed at the discretion of the officials?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): No fresh instructions have been issued in regard to the prepayment of porterage. The Regulations require that porterage shall be paid by the sender when practicable; it being considered unfair to the addressee that such charges should be borne by him. It not unfrequently happens that telegrams upon which the senders have not paid porterage are sent to persons who have little or no interest in the contents, and who naturally demur to paying for their delivery.

EVICTIONS (IRELAND)—MR. CECIL ROCHE, R.M.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Cecil Roche was in charge of the police on the occasion last week when he ordered Patrick Cleary and others to be brought before him whilst sitting on a stone wall, and performed judicial functions in respect of an offence alleged to have been committed by them?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am

informed that the Resident Magistrate named was not in charge of the police on the occasion in question.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask the right hon. Gentleman, is he aware that it is reported in the Press that Mr. Cecil Roche, when acting judicially at these evictions, has been in the habit of sitting on a wall wearing a billycock hat on one side of his head and down over his nose; and whether the right hon. Gentleman will instruct this functionary to have some regard for those decent forms which should accompany the administration of the law?

MR. MAC NEILL (Donegal, S.): May I ask, if Mr. Cecil Roche was not in charge of the police, what brought him there, or by whose authority he was sent there?

MR. A. J. BALFOUR said, he was sent there by the Divisional Magistrate.

PRIVILEGE—ARREST OF MR. O'KELLY, M.P.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the Secretary of State for the Home Department, Who is responsible for the placing this week of a number of detectives within the precincts of the Houses of Parliament; and, whether it is correct, as announced in *The Times* of July 26, that the authorities of Scotland Yard have decided it is most expedient the arrest should be made "after dark?"

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the Commissioner of Police that no extra detectives have been placed within the precincts of the Houses of Parliament during this week. No such decision has been arrived at as suggested in the second paragraph of the Question.

MR. J. E. ELLIS asked, was the House to understand that no extra detectives had been employed, or that they had been withdrawn?

MR. MATTHEWS said, that there had been detectives for a considerable period employed in the neighbourhood of the House of Commons. That had been part of the regular arrangement.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask the right hon. Gentleman, as it appears from the law expounded to us by the Solicitor General for Ireland that no Irish Member of Parliament can be summoned to answer a complaint, even though he be in attendance here in discharging his Parliamentary duties, but that he must be arrested in the night and hurried over to Ireland next day in order to answer complaints under the Coercion Act—I wish to ask the right hon. Gentleman, whether he will facilitate the passing of a Bill which will relieve Irish Members of Parliament from the kind of special penalty which seems to attach to their attendance for their Parliamentary duties?

MR. MATTHEWS: I am not aware of any such facilities being in existence in England. Any facilities that at present exist are, as the hon. Gentleman well knows, confined to warrants. A warrant issued out of the jurisdiction of any magistrate may be executed in England and Ireland; but there is no such statutory power in the case of summons, and I see great difficulty in attempting to change the present practice. No summons issued in England can be served in Ireland, and *vice versâ*.

MR. SEXTON: Would the right hon. Gentleman have any objection to consider such an amendment of the law as would enable a summons to be served upon an Irish Member engaged in his duty here?

MR. MATTHEWS: It is not applicable to Irish Members alone, but is equally applicable to English Members.

MR. R. T. REID (Dumfries, &c.): I would ask if the Home Secretary would kindly say whether there is any difficulty in law, or any objection to a summons being issued in Ireland and sent over in the ordinary way, either handed or sent in a letter, instead of handing over the person to the custody of the police—is there any objection in law to that course?

MR. MATTHEWS said, the jurisdiction of a magistrate was confined to his own country. He believed the summons of a magistrate might be served in an adjoining county; but Parliament had never thought it expedient to extend the jurisdiction of magistrates to the country at large.

MR. BRADLAUGH (Northampton) asked, whether an easy precedent did not exist in the statute under which permission was frequently given to serve writs of summons out of the jurisdiction; and whether the English practice was

not to avoid the issue of warrants except in serious cases, or where persons were suspected as likely to abscond?

MR. MATTHEWS said, there was a wide distinction between the powers of the Superior Courts and those exercised by local magistrates.

MR. ARTHUR O'CONNOR (Donegal, E.) asked, what change of circumstances, if any, had taken place in the present week which rendered it necessary and desirable to continue in the precincts of the House the presence of detectives; and whether their presence was considered necessary for the protection of Members of Parliament?

MR. MATTHEWS: No change that I am aware of has taken place, and the same precautions that have been observed continue.

MR. H. J. WILSON (York, W.R., Holmfirth): Will the right hon. Gentleman state, as a fact, that on Wednesday last there were no more plain clothes men about the precincts of the House than there had been previously?

MR. MATTHEWS: That is what I stated distinctly.

MR. J. E. ELLIS: Will the right hon. Gentleman really deny that there were a number of men here on Wednesday that were not here on Monday and are not here to-day?

MR. MATTHEWS: I am informed distinctly that the same force of detectives is employed that has always been employed.

MR. LABOUCHERE (Northampton): I would ask the right hon. Gentleman, were the detectives who followed the hon. Member for North Roscommon (Mr. O'Kelly) detectives who have been in the habit of being employed about the House, or others who were brought in?

MR. MATTHEWS said, he would require Notice of the Question.

Subsequently,

MR. ANDERSON (Elgin and Nairn) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, before the arrest of the hon. Member for North Roscommon, any intimation was given to him that his presence would be required in Ireland to answer the charge upon which the hon. Member has been arrested; and, if he can state why the uniform practice in Crown prosecutions in England of communicating with persons against whom it is intended to institute Crown prosecutions before the issue of a warrant was not followed with regard to the hon. Member?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): No such intimation as that suggested in the first paragraph was given; and I am advised that no such practice as that suggested in the second paragraph exists.

MR. ANDERSON asked the Secretary of State for the Home Department, Whether it had not been the universal practice to make such communications in the case of Members of the House?

MR. MATTHEWS: As far as I am aware it has not been universally the practice.

SIR WILLIAM HARCOURT (Derby): It is quite clear, of course, that summonses issued in Ireland would not be of legal stringency in England; but where the person is resident in Ireland, and only comes here to attend to his Parliamentary duties, would there be any objection to issue a summons in Ireland, as though he were supposed to be at that time in Ireland, and to make him acquainted with the fact that such a summons had been issued in Ireland? That would give him an opportunity of making arrangements to have the summons served upon him.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): In the case of any future summons being issued against an Irish Member, will the Government proceed by way of notification, or will they smuggle him off in the dark, as in this case?

MR. A. J. BALFOUR: I do not think there is any precedent for the course suggested by the right hon. Gentleman; but, of course, that is a matter to be decided by legal gentlemen. If it is assumed that when a notification is made to an Irish Member that a summons has been issued against him he will obey it, I am sorry to say that the experience I have had in the matter of some Members has been directly to the contrary.

THE LATE MR. MANDEVILLE—PROCEEDINGS BEFORE THE CORONER—THE GOVERNOR OF TULLAMORE GAOL.

MR. ANDERSON (Elgin and Nairn) asked the Chief Secretary to the Lord

Lieutenant of Ireland, If he could state on what grounds the Governor of Tullamore Gaol refused on Wednesday to say whether he had any order to take the clothes from the late Mr. Mandeville, or give any evidence on the subject of his authority, so that important evidence was withheld from the jury; and, will the Government direct the Governor to give the evidence? The hon. Gentleman also asked, whether there was any objection to lay on the Table the instructions given to Dr. Barr; whether the Government would cause an inquiry to be made in regard to his conduct; and, also, whether the Government would suspend Dr. Barr's visits to the prisons?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Certainly not. I have seen no authentic report of the proceedings in Court, and I cannot conceive for what purpose such evidence would be important. I have before stated that, in my opinion, the use of necessary force is justified by the Prison Rules.

MR. ANDERSON asked the Solicitor General for Ireland, whether he did not consider the authority under which the Governor of the prison was acting was inadequate?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) said, he agreed with the answer that had been given by his right hon. Friend the Chief Secretary.

MR. HUNTER (Aberdeen, N.): Will the right hon. Gentleman give an assurance that Dr. Barr shall not again visit Mr. Dillon in prison, having regard to the fatal consequences that followed his visits to Mr. Mandeville?

MR. A. J. BALFOUR: It is my desire and my duty to see that Mr. Dillon has the best medical advice possible.

MR. MAC NEILL (Donegal, S.): Will the right hon. Gentleman give an assurance that on the next occasion when Dr. Barr visits Mr. John Dillon he will not refuse to give Mr. Dillon his name and address?

MR. HUNTER: The right hon. Gentleman has not answered my Question. I wish to know will he give the House an assurance that Dr. Barr shall not visit John Dillon in prison?

MR. A. J. BALFOUR: I have answered it.

EVICTIONS (IRELAND)—THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE—LAND LAW (IRELAND) ACT, 1887.

MR. M'CARTAN (Down, S.) asked Mr. Solicitor General for Ireland, with reference to the eviction of Michael Cleary, of Carrowdoty, on the Vandeleur Estate, Whether he is aware that, under the 7th section of 11 & 12 *Vict.*, a Sheriff or his officer is guilty of misdemeanour if, with intent to dispossess any person dwelling in a house, he "pull down, demolish, or unroof, in whole or in part" (except so far as is absolutely necessary to effect an entrance thereto) any such house, or building used as a dwelling house, whilst such person or any member of his family shall be actually within the same; whether this section has been incorporated in the 7th section of "The Land Law (Ireland) Act, 1887;" if it applies equally to all dwelling houses, whether the property of the landlord or of the tenant; and, whether the Government will take steps to prosecute certain Sheriffs and their officers who have violated this section by pulling down and demolishing larger portions of such dwelling houses than the necessities of the case required?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): My answer to the first three paragraphs is in the affirmative. From the information before me it would appear that there was no demolition of houses while the inmates remained in them, except—in the words of the statute—so far as was necessary to enable the Sheriff or his officer to effect an entrance thereto. Any subsequent demolition would not be in contravention of the statute.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—THE COUNTY COUNCIL—CLAIMS TO VOTE.

MR. JAMES STUART (Shoreditch, Hoxton) asked the President of the Local Government Board, Whether, if an occupier claim to be placed on the list of Parliamentary voters, and his claim be admitted, he will be entitled to vote for the County Council, although he has not also claimed to be placed on the list of voters for the County Council?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): An occupier can, in the same form, claim to be placed on the list of Parliamentary voters, and on the list of county voters. If he limits his claim to the Parliamentary list, he would not in respect of that claim be entitled to be placed on the list of county voters; and if not on that list would not be entitled to vote.

ROYAL IRISH CONSTABULARY—THE CODE OF RULES.

MR. H. J. WILSON (York, W.R., Holmfirth) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will place in the Library a copy of the Code of Rules or Regulations of the Royal Irish Constabulary, and also a copy of *The Royal Irish Constabulary List and Directory?*

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) Manchester, E.): *The Royal Irish Constabulary Code* is a Departmental publication intended solely for the guidance of members of the Force. I cannot undertake to place a copy in the Library of the House. The other publication referred to is merely semi-official, and can be purchased by the public. The question of supplying it for use in the Library does not rest with me.

POST OFFICE—RURAL POST OFFICES AND PUBLIC-HOUSES.

MR. COX (Clare, E.) asked the Postmaster General, Whether there is any Rule of the Post Office prohibiting the use of a public-house as a rural post office?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University), in reply, said, as a rule, a post office was not kept at a public-house if any other suitable place for it could be found.

MR. M'CARTAN (Down, S.): Is the right hon. Gentleman aware that there are many post offices kept at public-houses in Ireland?

MR. RAIKES said, he believed there were post offices kept at public-houses in Ireland as at grocers' shops in Scotland, which were somewhat similar establishments, in many parts of the country. But those were established before he entered Office, and the Rules might not have been so strictly observed; but he intended to administer them as strictly as he could.

MR. COX: If I bring under the right hon. Gentleman's notice a publican who has recently been appointed a rural postmaster in Ireland, will he have the post office changed?

MR. RAIKES: I cannot say that; but I will inquire into the case?

MR. WALLACE (Edinburgh, E.): On what ground does the right hon. Gentleman say that grocers' shops in Scotland are similar to public-houses in England and Ireland?

MR. RAIKES: I made the statement, Sir, on the authority of a recent deputation to me, largely composed of Nonconformist ministers.

MR. JOHNSTON (Belfast, S.)? Is the right hon. Gentleman aware that the post office at Rathmines is kept at *The Freeman's Journal* office?

[No reply.]

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—MIDNIGHT MEETING AT WOODFORD—PROSECUTIONS.

MR. SHAW LEFEVRE (Bradford, Central) asked the Chief Secretary to the Lord Lieutenant of Ireland, Who was responsible for the selection of persons for prosecution for attending the midnight meeting at Woodford on October 16 last, and for attending the meeting near Woodford on January 31 last; and, whether he or the Attorney General give their approval, before prosecutions are instituted, for holding meetings or for making speeches in Ireland?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): There is, I believe, no change in the practice which has always prevailed in Ireland. The Attorney General for Ireland is responsible for prosecutions; but naturally, whenever a question of public policy arises in connection with a prosecution, he consults with the Executive Government.

STATUTE LAW REVISION (MASTER AND SERVANT) BILL.

MR. HOWELL (Bethnal Green, N.E.) asked Mr. Attorney General, Whether he will lay upon the Table of this House a copy of the correspondence and other communications with refer-

ence to the Statute Law Revision (Master and Servant) Bill?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): In reply to the hon. Member, it would not, in my opinion, be desirable to lay upon the Table the correspondence and communications respecting the Statute Law Revision (Master and Servant) Bill; but if he will communicate with me I shall have no objection to showing them to him.

MR. HOWELL gave Notice that he would take the earliest opportunity of moving an humble Address for the production of these documents.

POLICE FORCE ENFRANCHISEMENT ACT, 1887.

MR. EVANS (Southampton) asked Mr. Attorney General, Whether his attention has been called to the fact that considerable doubt exists whether, under the Act of last Session conferring the franchise on policemen, they are entitled to vote on municipal, school board, and other local elections; whether he is aware that some Revising Barristers have decided for, and some against, the claim; and, whether he will make a declaration as to the correct interpretation of the law?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): My attention has not been called to the matter to which the hon. Member refers, nor was I aware that the decisions of Revising Barristers had not been uniform. As I understand the matter, the Act of 1887 only removed the disqualification so far as Parliamentary elections are concerned.

CHARITY COMMISSIONERS — EDUCATION DEPARTMENT—ADDITION TO THE STAFF.

MR. A. H. DYKE ACLAND (York, W.R., Rotherham) asked the First Lord of the Treasury, Whether he can now state what additional assistance is being provided to the Charity Commissioners to enable them to carry out the further inspection and examination of endowed and other secondary schools?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Charity Commissioners are engaged in the inspection of the working of their schemes without any addition to their staff, and it is not proposed to throw any other duties of the kind suggested upon them; but I understand that the Education Department have the whole subject under consideration, with a view to redeeming the pledges given at an earlier period of the Session.

THE HYDERABAD (DECCAN) COMPANY —CHARGES AGAINST OFFICIALS.

SIR ROPER LETHBRIDGE (Kensington, N.) asked the First Lord of the Treasury, in view of the injurious nature of the charges and allegations that have appeared in the Indian Press both against Government and against private individuals and officials of repute in the matter of the Hyderabad (Deccan) Company's affairs, Whether he will undertake that the discussion on the Report shall not take place before the evidence taken before the Select Committee has been printed and circulated; and, whether it is the intention of Her Majesty's Government to take that discussion in the present portion of the Session or in the Autumn Session?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Select Committee referred to was moved for by one of the hon. Members for Northampton, and I have not seen, nor am I aware, that the Committee have yet presented their Report. Till the Report is before the Government, I am unable to say whether it will be necessary to afford an opportunity for its discussion; and I cannot, therefore, give any pledge on the subject.

THE REVISED EDITION OF THE STATUTES—PUBLICATION.

MR. HOWELL (Bethnal Green, N.E.) asked the First Lord of the Treasury, When the earlier volumes of the New and Revised Edition of the Statutes, promised to this House early in the Session of 1887, will be ready for publication; and, whether he can state to the House the cause of the delay that has arisen with respect to such publication?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): On the 13th instant I informed the hon. Member of the causes of the delay in the issue of the Revised Statutes, and I have nothing to add to the answer I then gave.

PUBLIC BUSINESS—THE NAVY ESTIMATES.

MR. HANBURY (Preston) (for Lord CHARLES BERESFORD) (Marylebone, E.) asked the First Lord of the Treasury, Whether he will state to the House the numbers and names of the Substantive Votes (Naval Estimates) he intends to take during the present Sittings; and, if, having regard to the probability that the greatest discussion will occur on Vote 8 (the Shipbuilding Vote), he will postpone that Vote till the Autumn Session?

THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON) (Middlesex, Ealing) (who replied) said: We are anxious to adhere to the old practice of taking the Navy Votes separately, and thus obtain the supplies necessary for the next three months rather than from a Vote on Account. A good deal of evidence has been taken before the Select Committee on Navy Estimates, both upon the Admiralty Vote and the Dockyard Vote; and I do not propose to ask the House to discuss these Votes until such evidence is published, but would take the less contentious Votes, or those which do not raise questions of policy. The Vote is one which several Members wish to discuss; and, therefore, I would propose to take it as the first of the Votes to be discussed.

THE WEST LONDON COMMERCIAL BANK—THE WEST LONDON PERMANENT BUILDING SOCIETY.

MR. J. ROWLANDS (Finsbury, E.) asked the First Lord of the Treasury, Whether, having regard to the fact that four Directors of the West London Permanent Building Society were also Directors of the West London Commercial Bank, and that the above Building Society drew £10,000 out of the bank a few days before the bank failed, the Government will institute an inquiry into the whole subject of this failure?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I have no information as to the statement made by the hon. Member in his Question; but, assuming the facts are correctly stated, it appears to me that it is for the shareholders of the bank and the depositors in the West London Permanent Building Society to take such measures as they may be advised to protect their own interests.

PUBLIC BUSINESS.

SIR WILLIAM HARCOURT (Derby): As I shall not be able to make any observation upon the Motion which the right hon. Gentleman the First Lord of the Treasury is about to make, I desire to ask him a Question in relation to the course of Public Business before he makes it. There is, undoubtedly, a desire on the part of all sections of the House that the Local Government Bill shall become law as speedily as possible, and every effort, I am sure, will be made to make rapid progress with it. I suppose, however, that in the event of the Report stage not being closed until a very late hour, the right hon. Gentleman will not press the third reading of the Bill to-night at a time when it would be impossible to make observations upon the Bill in general?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I must ask the House to consider that the inevitable effect of the right hon. Gentleman's proposal not to take the third reading of the Local Government Bill to-night would be to delay the adjournment of the Session for three or four days. If we do not take the third reading of the measure to-night it cannot be taken for three or four days, with the result that we shall be kept here much later in the month of August than the right hon. Gentleman himself would desire. I hope we may trust to the good and cordial feeling with which the Bill is regarded from all quarters to permit it to be read a third time to-night, without any great discussion, after the Report stage has been passed. If that course is followed it will result in great advantage to Public Business and to the convenience of hon. Members.

SIR WILLIAM HARCOURT: I am sure that we are as desirous as the right hon. Gentleman can be not unnecessarily to delay the adjournment of the House for the Recess; but I do not think that the right hon. Gentleman would expect us to treat this measure as though it were not one of first-class importance.

MR. W. H. SMITH: I must leave the matter in the hands of the House; but I venture to express a hope that the

Report stage may be concluded before a very late hour.

ROYAL COMMISSION ON EDUCATION—THE REPORTS.

MR. HENRY H. FOWLER (Wolverhampton, E.) asked the Secretary of State for the Home Department, Whether the Reports of the Education Commission had been sent into the Home Office, as it was said they had been, and when would they be printed and circulated?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am afraid I must ask for Notice of the Question.

PUBLIC BUSINESS—THE ARMY ESTIMATES.

DR. FARQUHARSON (Aberdeenshire, W.) asked, Whether the Secretary of State for War was in a position to state which Votes he would take of the Army Estimates during the present Sitting. Would the Medical Vote be taken?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle), in reply, said, he did not propose to take the last-mentioned Vote, which was being reported on by a Select Committee. Votes 9 (Transport), 10 (Provisions), 23 (one of the Non-Effective Votes) would be taken; and they were also obliged to take Vote 13, because no new work had been begun since it was put down.

MR. BAUMANN (Camberwell, Peckham) asked, whether, before the adjournment of the House, an Appropriation Bill would be taken?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): No, Sir.

PERSONAL EXPLANATION.

—o—

PAYMENT OF MEMBERS—THE DEBATE OF JULY 6.

ADMIRAL FIELD (Sussex, Eastbourne) asked the indulgence of the House while he made a brief personal explanation. It would be in the recollection of the House that a short time ago, in the course of the debate on the Motion initiated by the hon. Member for the Wansbeck Division of Northumberland (Mr. Fenwick) as to the payment of Members, he made a few observations with regard to that subject. In the course of his remarks he related an incident which came to his knowledge in the course of conversation while in Australia; and he now found that those observations had caused great offence in Australia. A telegram had been received from the Government of Victoria, addressed to the Agent General here, and he had had the honour of waiting upon that Colonial Representative, and had done his best to explain all that passed. The telegram which came from Melbourne was to this effect. He would read a portion of it only. [*Cries of* "Read the whole!"] He was the best judge of what he should read. The telegram stated that in the course of observations made by Admiral Field in the House of Commons on July 6, he stated—

"That an able and wealthy Member in Victoria had told him that any Member of Parliament in the Victorian Assembly could be bribed."

He did make those observations; but he also made other observations which apparently were not included in the telegram sent to the other side of the world. The conversation referred to took place in Australia in May or June, 1882, and necessarily referred to a period prior to 1882. He was informed by the Agent General that it was probably at a time when a great struggle was going on between squatters and capitalists and the rest of the community with respect to certain important legislation affecting land in that country. He felt it was but right to say that as this conversation took place in 1882, he could in no sense refer to the present time. He would not willingly give pain to any person living, much less to their brother politicians on the other side of the world, who were engaged in building up a Greater Britain.

MR. W. REDMOND (Fermanagh, N.): Perhaps, Sir, I may be allowed to say in connection with ——

MR. SPEAKER: Order, order!

MR. W. REDMOND: I denied the statement at the time.

MOTIONS.

—o—

SITTINGS OF THE HOUSE, EXEMPTION FROM THE STANDING ORDER.

Ordered, That the Proceedings on the Local Government (England and Wales) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House."—(*Mr. William Henry Smith.*)

EXPIRING LAWS CONTINUANCE BILL.

MOTION FOR LEAVE.

Motion made, and Question proposed, "That leave be given to bring in a Bill to continue various Expiring Laws."—(*Mr. Jackson.*)

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) said, the Bill introduced this year was a measure of an exceptional character. It was not only for the purpose of continuing the ordinary laws that were annually included in such a measure, but it was understood that it would deal also with some special matters. There was, for instance, the Irish Sunday Closing Act, and there were also certain provisions with regard to the Irish Land Commission. He thought it was necessary before they proceeded further with the Bill that the Minister in charge of it should state to the House what special provisions and powers were being included in relation to the various measures not ordinarily included in this Bill.

MR. HOWELL (Bethnal Green, N.E.) asked, whether amongst various other Acts the Bill would include the Coal and Wine Dues Bill?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, it would obviously be for the Committee of the House, and hon. Members should wait until they saw the Bill, as then all these questions would be answered.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) said, that perhaps he might reply to the hon. Member for West Belfast. It was true that the measures which the hon. Member had alluded to were not those ordinarily included in a Continuance Bill, although he believed that last year the Irish Sunday Closing Act was included.

MR. SEXTON: It has been included for several years.

MR. A. J. BALFOUR said, he thought the hon. Gentleman would feel as he felt, that after the Report of the Select Committee appointed to consider the question of Saturday and Sunday Closing in Ireland, it was impossible for the Government to let the present Act lapse. The hon. Gentleman would also acknowledge that it was equally impossible for the Government to bring in new leglislation on the subject this Session. Anybody who was acquainted with the state of the Business of the House would feel that as much as he (Mr. A. J. Balfour) did. With regard to the provisions affecting the Land Commission, the hon. Gentleman was aware that if something was not done the office of those Commissioners will come to an end on some day in August—he thought the 24th—and, of course, it was impossible for the Government to leave Ireland without a Land Commission. The whole land system in Ireland would break down; and, inasmuch as it had unfortunately proved impossible for them to carry through the House the Bill which he introduced, and which has been read a second time, he thought the most convenient plan was to continue the office of the existing Commissioners for another year.

MR. SEXTON asked, would the proposal amount to anything more than continuance for another year; was there anything more than that?

MR. A. J. BALFOUR: That is all.

MR. MAURICE HEALY (Cork) asked, whether during the Autumn Session steps would be taken by the Government to give effect to the Report of the Select Committee on the question of Irish Sunday Closing?

MR. HANDEL COSSHAM (Bristol, E.) asked, whether the provisions with regard to the Land Commission would involve any further strain on the English Exchequer?

MR. A. J. BALFOUR said, the English Exchequer would undoubtedly have to pay the salaries of the existing Land Commission. There was no other additional obligation than that. He was afraid it would not be possible in the coming Session to occupy the time of the House with an Irish Sunday Closing Bill.

MR. CLANCY (Dublin Co., N.) asked, if this opportunity would be

taken to add to the strength of the Sub-Commission?

MR. A. J. BALFOUR said, the Sub-Commissions did not depend upon the Bill. The number of Sub-Commissions were not regulated by Statute at all.

MR. HOWELL asked, whether the Bill would continue the Coal and Wine Duties beyond the stipulated period?

MR. JACKSON: Certainly not.

SIR EDWARD WATKIN (Hythe) wished to ask, whether the suspension of the ballot for the Militia would be further extended by the Bill?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he must ask the hon. Baronet to wait until he saw the Bill.

Motion *agreed to.*

Bill *ordered* to be brought in by Mr. Jackson and Sir Herbert Maxwell.

Bill *presented*, and read the first time. [Bill 353.]

ORDERS OF THE DAY.

—o—

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.—[BILL 338.]

(*Mr. Ritchie, Mr William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Secretary Matthews, Mr. Long.*)

CONSIDERATION.

Bill, as amended, *further considered.*

Clause 2 (Composition and election of council, and position of chairman).

MR. STANSFELD (Halifax) moved that the term of office of the Chairman of the County Council should be one year instead of three years.

Amendment proposed, in page 2, line 32, to leave out the words "Three years," and insert the words "one year."—(*Mr. Stansfeld.*)

Question proposed, "That the words 'three years,' stand part of the Bill."

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, that since the point was considered in Committee he had taken the opinion of several gentlemen well acquainted with the subject, and he found that there was a very general view in favour of one year. He would therefore accept the Amendment.

Amendment *agreed to.*

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) moved to insert words providing that the Aldermen by virtue of their office should be Justices of the Peace for the county they represented. He did not understand what their functions were to be, unless they were to be magistrates like Scotch Bailies. He understood that in England an Alderman was a mere name, fiction, and farce.

Amendment proposed,

In page 2, line 34, after the word "county," to insert the words,—"(5.) As respects county aldermen, their term of office shall be three years."—(*Sir George Campbell.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, that he was a great admirer of Scotch institutions; but if the Bill were to be altered to make it accord with Scotch law, it would have to be re-committed for the purpose. In boroughs Aldermen were not magistrates, and Aldermen in counties would have the same functions as other members of the Council.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 2, line 34, after the word "county," to insert the words—"(5.) They shall by virtue of their office be justices of the peace for the county."—(*Sir George Campbell.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Clause 3 (Transfer to county council of administrative business of quarter sessions).

MR. A. M'ARTHUR (Leicester) moved an amendment of Clause 3, which mentions among the powers and duties of County Councils, the licensing of houses and other places for music and for dancing, and the object of the Amendment was to provide that the licensing should be "under any general Act."

Amendment proposed, in page 3, line 14, after the word "licensing," to insert the words "under any general Act."—(*Mr. Alexander M'Arthur.*)

Question proposed, "That those words be there inserted."

MR. WOODALL (Hanley) supported the Amendment.

Question put, and *agreed to.*

Other Amendments made.

Clause 11 (Transfer to county council of powers of certain Government departments and other authorities).

MR. T. E. ELLIS (Merionethshire) said, he had on the Paper the following addition to Clause 11:—In page 6, line 17, after the word "councils," to add—

"(3.) For the purposes of this section the fifteen county councils of Wales and Monmouthshire shall elect out of their number representatives to a general council for Wales, consisting of one person for each twenty-five thousand of the population of the county, and, if the population be not an exact multiple of twenty-five thousand, then also one additional member for such fractional part of twenty-five thousand over and above such multiple. The Members of Parliament elected for constituencies within the said thirteen counties shall, by virtue of their election to Parliament, be members of such general council for Wales."

He could not move this as an Amendment, and at this stage of the Bill he did not propose to move it as a separate clause; but he should like, before withdrawing it, to say that his object was to do something towards removing the heavy burden which lay upon the House of Commons in dealing with local matters affecting Wales. The right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), and also Sir Charles Dilke, had in public papers advocated the principle of the clause which he (Mr. T. E. Ellis) had put down. He was satisfied the principle was a sound one, and he expressed the hope that the right hon. Gentleman the President of the Local Government Board (Mr. C. T. Ritchie) would keep it in view when dealing with the question of Provisional Orders to be made by the County Councils or Joint Committees of Councils.

Clause 12 (Entire maintenance of main roads by county council).

SIR WILLIAM HARCOURT (Derby) (for MR. SHAW LEFEVRE) (Bradford, Central) moved to amend the clause by inserting—

"The county council shall also maintain the roadside wastes on either side of any main road, and shall have the same powers as a highway board for preventing and removing obstructions, and for asserting the right of the public to the use and enjoyment of the said roadside wastes."

He said, that roadside wastes were of great value, both as commons and as means of finding employment for the poor, and in his own neighbourhood enclosures were going on which were, he believed, illegal, and which were unjust to the people living near. They were quite defenceless, and, therefore, the wastes ought to be placed in charge of the County Councils, through whom the people interested could assert their rights. These illegal enclosures had been condemned in the strongest terms by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain).

Amendment proposed,

In page 6, line 28, after "accordingly," insert "the county council shall also maintain the roadside wastes on either side of any main road, and shall have the same powers as a highway board for preventing and removing obstructions, and for asserting the right of the public to the use and enjoyment of the said roadside wastes."—(*Sir William Harcourt.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he could not accept the Amendment in the form proposed, for it would place an obligation, which it was difficult to define, upon the shoulders of the County Councils. There ought to be safeguard, too, against the interference of private rights. He was willing to charge the Councils with any powers which might be in existence to prevent obstruction, and to secure the use by the public of roadside wastes, and he would accept an Amendment so worded.

MR. SHAW LEFEVRE (Bradford, Central) said, he accepted the proposal of the right hon. Gentleman.

MR. JAMES ELLIS (Leicestershire, Bosworth) said, it would be futile to give the Councils no more power than Highway Boards, for the Highway Act was being used to promote enclosures.

SIR WILLIAM HARCOURT said, he preferred to abide by the Amendment as it had been put on the Paper by the right hon. Member for Central Bradford, who had special experience in the matter.

MR. RITCHIE said, it was possible the words to which he objected might involve a large interference with private rights.

MR. WINTERBOTHAM (Gloucester, Cirencester) said, he hoped the effect of the clause would not be whittled down. The roadside wastes in some parts of the

country had been cribbed by private owners in a way of which the right hon. Gentleman was not aware. At present poor people were often driven to pull down fences that encroached upon the roads, and this action being illegal they got hard measure at the hands of the magistrates. He desired, therefore, to put upon the County Councils, who represented the ratepayers, the duty of defending them in regard to these roadside wastes as against private owners.

MR. ATHERLEY-JONES (Durham, N.W.) said, he desired to urge the acceptance of the Amendment as it stood on the Paper. The only effect of the Amendment moved by the right hon. Gentleman the Member for Derby would be to enable the County Council, if it should so please, to perform functions which were entrusted at present to the Highway Authorities. There were various cases in which the Highway Authority had refrained from taking action to defend public rights from fear of entering into a very large expenditure of the public funds. This difficulty would be largely removed if the power were vested in the County Councils. The County Councils would not have the same reasons for excessive caution. There were recently cases in the neighbourhood of London in which considerable strips of land had been taken away from the use of the public simply by reason of the apathy of the Local Authority and its reluctance to take proceedings.

Amendment proposed to the proposed Amendment, to strike out the words "also maintain the roadside wastes on either of any main road, and shall."—(*Mr. Ritchie.*)

MR. SHAW LEFEVRE said, he was glad that the right hon. Gentleman approved the Amendment on the whole. He believed that at Common Law the Highway Authorities had undoubtedly the power to prevent obstruction to the roadside wastes, but unfortunately they did not think they had, and as a general rule they did not exercise the power. They considered that they were only bound to maintain the roadway within 15 feet of the centre of the road. He hoped the right hon. Gentleman would consent to leave these words in, because they gave a direction to do that which the Authorities did not now understand it to be their duty to do.

MR. RITCHIE said, he was in entire accord with the wishes of the right hon. Gentleman in this matter; but he was convinced that under the Amendment, as amended in accordance with his proposal, the County Councils would possess ample powers, and they were much more likely to protect the interest of the ratepayers than the existing Authorities.

MR. SHAW LEFEVRE said, he would consent, under these circumstances, to the words being struck out.

Amendment to proposed Amendment *agreed to.*

Proposed Amendment, as amended, *agreed to.*

Other Amendments made.

Amendment proposed, in page 6, line 43, after the word "road," to insert the following sub-section:—

"(3). The amount of such payment shall be such annual sum as may be from time to time agreed on, or in the absence of agreement may be determined by arbitration of the Local Government Board."—(*Mr. Ritchie.*)

Question proposed, "That those words be there inserted."

Amendment proposed to the proposd Amendment, after the word "sum," to insert the words "representing the reasonable cost of the said maintenance, repair, and improvement."—(*Mr. Hobhouse.*)

Question, "That those words be inserted in the proposed Amendment," put, and *negatived.*

Words *inserted.*

Other Amendments made.

On the Motion of Sir WALTER B. BARTTELOT, the following Amendment made:—In page 7, line 37, after "county council," insert the following sub-section:—

"(8) If any difference arises under this section between a county council and a district council as to the refusal of the county council to make a payment under this section to the district council in respect of any undertaking or road, or as to a road having been placed in proper repair and condition previously to its becoming a main road, or as to any notice given to the district council by the county council to place a road in proper repair and condition, such difference shall, if either council so require, be referred to the arbitration of the Local Government Board."

Amendment proposed,

In page 7, line 41, after the word "road," to insert the words—"If the council of any

borough, not being one of the boroughs mentioned in the Third Schedule, nor a quarter sessions borough, deem itself aggrieved by the decision of the county council on any application made by the council of such borough to the county council to contribute towards the cost of maintenance, repair, enlargement, and improvement of any highway, it may, within twenty-eight days after notice of such decision, address a memorial to the Local Government Board, stating the grounds of appeal from such decision, and shall deliver a copy thereof to the county council. The Local Government Board may make such order in the matter as to the said board may seem equitable, having regard to all the circumstances of the case, and the order so made shall be binding and conclusive on all parties."—(*Mr. Walter M'Laren.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he must point out that if any appeal were given, it could not possibly be confined to the small boroughs to which the hon. Member referred.

MR. M'LAREN (Cheshire, Crewe) said, he would suggest that the power of appeal might be extended.

MR. RITCHIE said, that was quite another matter. Of course, if the principle were accepted, it must be extended to urban and rural districts. While there was no doubt that the hon. Member was willing so to extend it, the Local Government Board could not consent to undertake the responsibility which it would have to assume if it were erected into a Court of Appeal on all questions connected with main roads.

MR. WOODALL said, he deeply regretted the decision at which the right hon. Gentleman had arrived on the point. He hoped that the right hon. Gentleman would recognize the equity of the claim, and would consent to allow an appeal. He could assure him that there was great reason to suppose, if he did not make any such provision, that there would be continual conflict between Urban Authorities and County Authorities, as the interests of the one would so obviously conflict with the other.

MR. ROWNTREE (Scarborough) said, he also was in favour of the Amendment, which he contended was a moderate suggestion to remedy the results of the hopeless minority in which the boroughs would find themselves in relation to the counties.

SIR WATER B. BARTTELOT (Sussex, N.W.) said, he hoped that the Amendment would not be accepted. In his opinion the County Authorities would be anxious to do what was right towards the boroughs in their districts, and he believed they might be trusted to do what was just and proper, without there being an appeal. If the appeal were allowed to the Local Government Board, there would be such a mass of appeals that they would never be able to get through them.

SIR WILLIAM HARCOURT said, he objected to being lectured by the hon. and gallant Baronet, who had all along shown his distrust of the County Councils, by seeking to withdraw from them control of the police and other powers. He agreed that the County Councils being trusted with these matters, their decision should be final.

Question put.

The House *divided*:—Ayes 103; Noes 226: Majority 123.—(Div. List, No. 240.)

Other Amendments made.

Clause 14 (Qualification of medical officers of health).

On the Motion of Sir LYON PLAYFAIR, the following Amendment made:—In page 9, line 2, leave out "the;" and in same line leave out "preceding," and insert "consecutive" instead thereof.

Clause 20 (Transfer to county council of certain licences (transferred licences).

On the Motion of Mr. RITCHIE, Clause *struck out*.

Clause 21 (Payment to county councils of proceeds of duties on certain licences (local taxation licences).

SIR GEORGE CAMPBELL moved to leave out the clause. He said those financial proposals of the Government were a mere nominal transfer and no real transfer of taxation. They constituted a fresh distribution of Imperial taxation; they were a leap in the dark, and were pretty sure to benefit the richer and injure the poorer localities.

Amendment proposed, in page 11, to leave out Clause 21.—(*Sir George Campbell.*)

Question proposed, "That the words 'After the financial year' stand part of the Bill."

MR. RITCHIE said, the hon. Gentleman knew perfectly well that it was impossible for the Government to accept the Amendment. He did not think the hon. Gentleman would find any Member in the House to support him in a Division.

Question put, and *agreed to.*

Other Amendments made.

Clause 22 (Grant to county council of portion of probate duty).

SIR GEORGE CAMPBELL, in moving an Amendment altering the proportion of the Probate Duties to be paid to the Local Taxation account from "four-fifths" to "three-fourths," said, he had great cause of complaint in the treatment accorded in this matter to Scotland and Ireland as compared with that meted out to England. The total amount which was to be distributed to the localities as the Bill at present stood was 80 per cent for England, and 20 per cent divided between Scotland and Ireland. That was an unjust distribution. The population of Scotland and Ireland, according to the last Census, was close upon 9,000,000, and that of England under 26,000,000; and, therefore, considered solely from that point of view, Scotland and Ireland would be entitled to more than the Government proposed to allocate. If, however, the distribution was made according to the proportion contributed by those countries to the Revenue, his belief was that Scotland and Ireland might not come out badly, because, owing to the greater consumption of whisky in those parts, a larger proportion was contributed to the Imperial Revenue than by other portions of the Kingdom. His belief was that the proportion was vitiated by the inclusion of London in England. London was the capital of the Kingdom; it was the capital of Scotland, and London was full of Scotchmen and Scotch investments. He hoped the Chancellor of the Exchequer would consider the point.

Amendment proposed, in page 13, line 16, to leave out the words "four-fifths," and insert the words "three-fourths."—(*Sir George Campbell.*)

Question proposed, "That the words 'four-fifths' stand part of the Bill."

MR. GOSCHEN said, he did not know the circumstances in which the hon. Gentleman refrained from moving his Amendment in Committee. He was bound to say, however, that this was a rather awkward moment to raise a discussion, after the Bill had almost passed through the House, and after all the calculations had been made on the basis laid down in the Bill—namely, four-fifths of the Probate grant. It was obvious that a great change at this moment would destroy all the calculations which had been made and upon which hon. Members had dwelt during the course of these discussions. He rejoiced to hear the wholesome doctrine laid down by the hon. Baronet that London was the capital of Scotland. He doubted, however, whether the hon. Gentleman was in entire sympathy on this point with many of the hon. Gentlemen among whom he sat. He demurred to the propriety of excepting London from those calculations. The principle followed in making the calculations had been not to make any general disturbance in the taxation, either local or Imperial, as between the three countries. It was impossible in a Bill of this kind to attempt to adjust all the questions of relative taxation between the three countries; and the principle followed was to attempt to solve in a fair spirit the division according to the existing taxation of the three countries. They thought it a fair way of testing the matter to consider what was the loss to the three countries respectively of the withdrawal from Imperial sources of the Probate Duty. They had made calculations accordingly, and he could assure the House that those calculations had been made with no bias towards any of the three countries, except in so far as they just gave the turn of the scale to Scotland and Ireland. He should be prepared when the Scotch Bill came on to say more on the subject.

MR. CHILDERS (Edinburgh, S.) asked the right hon. Gentleman the Chancellor of the Exchequer whether there was any Paper in print and laid on the Table explaining the distribution between the three countries under which the proportion of four-fifths had been arrived at? If not, one should be placed before the House.

MR. GOSCHEN said, that no Papers had been laid on the Table. He had explained that there were sets of figures pointing to those conclusions he had enumerated. They had also utilized the

calculations made at the time when the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) considered the question of Irish taxation and the contribution of Ireland. Those figures had been examined and fresh figures drawn up to check them; and the general result was very much the same as that arrived at by the right hon. Gentleman.

MR. O'DOHERTY (Donegal, N.) said, he had to complain that the incidence of the Probate Duty in Ireland was unjust as compared with England.

MR. FLYNN (Cork, N.) supported the Amendment.

MR. GOSCHEN said, he hoped that the House would not embark upon a discussion of the incidence of the Probate Duty in England and Ireland. The calculation was made simply upon revenue, and the very fact that the Government stood in a position of sharp antagonism to hon. Members from Ireland made them all the more anxious to convince themselves that they were doing absolute justice in this matter.

Question put.

The House *divided:* — Ayes 228; Noes 117: Majority 111.—(Div. List, No. 241.)

Clause 23 (Application of duties on transferred licences, local taxation licences, and probate duty grant).

On the Motion of Mr. RITCHIE, the following Amendments made:—In page 15, line 42, after "Contributions," insert—

"Where a town, not being a borough, maintains its own police and receives any payment from the county council in pursuance of this Act towards the pay and clothing of such police, this enactment shall apply to such town as if it were a borough;"

and in page 16, after line 8, insert the following sub-section:—

"Where any part of a county is situate within the Metropolitan Police district, this section shall apply as if that part were the area of a borough maintaining a separate police force, save that the sum which would be payable to such borough shall be paid to the district councils in such part and shall be divided among such district councils in proportion to the rateable value of the area of each district."

Clause 24 (Payments by county council in substitution for annual local grants out of Exchequer in aid of local rates).

On the Motion of Mr. LLEWELLYN, the following Amendment made:—In page 16, line 42, at end, insert the following sub-section:—

"They shall pay to the guardians of every poor law union the school fees paid for pauper children sent from the workhouse to a public elementary school outside the workhouse."

Clause 25 (As to Secretary of State's power respecting efficiency of police).

Amendment proposed, in page 19, line 16, after the word "borough," to insert the words "other than a county borough."—(*Mr. Henry H. Fowler.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Other Amendments made.

Clause 28 (General provisions as to powers transferred to county council).

Amendment proposed,

In page 20, line 41, after the word "mentioned," to insert the words "the county council may also delegate to the justices of the county sitting in petty sessions, any power or duty transferred by this Act to the county council in respect of the licensing of houses or places for the public performance of stage plays, and in respect of the execution as local authority of 'The Explosives Act, 1875,' or of the Act relating to contagious diseases of animals, or to gas meters."—(*Mr. Ritchie.*)

Question proposed, "That those words be there inserted."

MR. HOBHOUSE (Somerset, E.) said, he objected to the proposal to give the County Council these powers of delegation on the ground that to the judicial functions of Justices no new administrative functions ought to be added.

MR. RITCHIE said, that the Amendment was proposed in order to meet the objection raised in Committee that the general power of delegation contained in the clause was too large. The Government had agreed to take from the County Council the general power of delegation and to specify instead certain matters which might be conveniently delegated to Justices if the County Council should think it expedient to do so. It would be observed that the delegation would not be obligatory upon the County Council.

SIR WILLIAM HARCOURT said, that if the County Councils should delegate those powers to the Justices there would be hardly anything left for them to do. There were two alternative modes of dealing satisfactorily with this question. The County Council might

be given power to form a small standing committee of their own Body to perform the duties to which the Amendment referred, or matters might be left at present as they were on the understanding that those duties would be fulfilled by the District Councils when they should have been constituted. This change would amount to a repeal of half the Bill. If the Amendment were passed, he should regard the Bill as an absolute farce.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG) (Wilts, Devizes) said, the right hon. Gentleman the Member for Derby had attacked the Government on very insufficient grounds. Considerable difficulty might arise if these powers, which frequently had to be exercised at very short notice, were left in the hands of the County Council, because, even if the Council appointed a committee, it was extremely improbable that all the members of that committee would reside in one district. Occasionally, when there was a sudden outbreak of contagious disease among cattle, it was absolutely necessary that the Justices in Petty Sessions should carry out the regulations under the Act. He felt certain that if this Amendment were not accepted, and if the Justices were excluded, very great inconveniences would arise in some counties, and there would be very great danger to the health of the herds. He thought they might safely leave the County Council to exercise the discretion which it was proposed to give to them.

SIR WILLIAM HARCOURT moved to amend the Amendment by inserting words providing that the County Councils should only be allowed to delegate the powers "until district councils were established."

Amendment proposed to the proposed Amendment,

In line 1, after the word "may," to insert the words "until district councils are established for the purposes of local government under any Act of a future Session of Parliament."—(*Sir William Harcourt.*)

Question put, "That those words be inserted in the said proposed Amendment."

SIR JULIAN GOLDSMID (St. Pancras, S.) said, that it was not necessary to delegate to magistrates powers with regard to weights and measures and gas meters. He argued also that powers as to contagious diseases of animals should not be delegated.

Question put.

The House *divided:* — Ayes 143; Noes 188: Majority 45.—(Div. List, No. 242.)

MR. HOBHOUSE moved to omit from Mr. Ritchie's Amendment the words "or of the Act relating to the contagious diseases of animals," on the ground that under the Act of 1878 the county authority could delegate its powers to sub-committees partly composed of ratepayers. A mixed committee of County Councillors and farmers would be a better administrative body than one composed of justices alone.

Amendment proposed to the said proposed Amendment, in line 5, to leave out the words "or of the Act relating to contagious diseases of animals."—(*Mr. Hobhouse.*)

Question proposed, "That those words be inserted in the said proposed Amendment."

MR. RITCHIE said, he could not accept the Amendment.

Amendment to proposed Amendment, by leave, *withdrawn.*

On the Motion of Mr. RITCHIE, the words in his Amendment, "or to weights and measures, or to gas metres," were omitted, and the Amendment in the following form was *agreed to.*

"The county council may also delegate to the justices of the county sitting in petty sessions, any power or duty transferred by this Act to the county council in respect of the licensing of houses or places for the public performance of stage plays, and in respect of the execution as local authority of 'The Explosives Act, 1875,' or of the Act relating to contagious diseases of animals."

Amendment proposed,

In page 20, at end of line 41, insert—"Provided that, as soon as district councils are established for the purposes of local government under any Act of a future Session of Parliament, the power of delegation to justices conferred by this section shall determine as from the day appointed for the coming into office of such district councils."—(*Mr. Hobhouse.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT pointed out that the Amendment just inserted

of Mr. Ritchie would take away from the County Councils the powers proposed to be transferred to them by another part of the Bill.

MR. LONG contended that it was necessary to make such a provision, in order to meet emergencies in dealing with such things as the outbreak of cattle disease.

MR. LLEWELLYN (Somerset, N.) said, he thought it would be unwise to leave power to delegate the powers of County Councils as regarded cattle diseases to a committee of magistrates only.

MR. HOBHOUSE said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

SIR WILLIAM HARCOURT moved to amend the clause by providing that the financial adjustment, as between counties and boroughs, should remain in force for three years, and no longer.

Amendment proposed,

In page 22, line 33, after the word "adjustment," to insert the words "and such adjustment shall remain in force for three years, and no longer."—(*Sir William Harcourt.*

Question proposed, "That those words be there inserted."

MR. RITCHIE said, that to put that provision in the Bill would be to keep up a constant ferment between counties and boroughs.

SIR HENRY JAMES (Bury) favoured the principle of the Amendment, but thought that a re-adjustment should only take place on application by one or another of the authorities concerned.

MR. RITCHIE promised, on the clause relating to the Commissioners, to bring up words providing that there should be a re-adjustment at the end of five years, on application to the Local Government Board by one of the authorities interested.

Amendment, by leave, *withdrawn.*

SIR WILLIAM HARCOURT asked the Government to explain their financial proposals as now amended.

MR. RITCHIE, in reply, said, that the new method in which the Probate Duty was to be distributed did not affect the appointment of the Commissioners, who would have to adjust the distribution of the new taxes between boroughs and counties.

Other Amendments made.

Clause 31 (Certain large boroughs named in the schedule to be treated as counties).

MR. RITCHIE moved an Amendment, having the effect of excepting "transferred licences" from the other Local Taxation licences in respect of the distribution of which an equitable adjustment between each county and each borough was to be made by agreement between the councils of such county and such borough.

Amendment proposed, in page 22, line 20, to leave out the words "transferred licences."—(*Mr. Ritchie.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR WILLIAM HARCOURT said, he objected to such "Local Taxation Licences" as were raised in boroughs, and which should form part of the boroughs' funds, being "apportioned equitably" between the boroughs and counties. The proceeds derived from such licences really belonged to the boroughs, and ought not be "apportioned" between the boroughs and the counties either equitably or otherwise. He could see no reason for treating "transferred licences" in a different manner from Local Taxation Licences and Probate Duty grant.

MR. RITCHIE said, that if the right hon. Member for Derby had not represented a borough, he might have been expected to have risen in his place and make a vigorous attack upon the very proposal he was now putting forward. He considered that the omission of the words was necessary, so as to enable the Commissioners to make an equitable adjustment of the financial relations, and it would be for them to equitably adjust the amount received from these licences between the counties and the boroughs.

SIR WILLIAM HARCOURT asked, whether the right hon. Gentleman intended to apply the same principle to the Metropolis?

MR. RITCHIE said, that London, being a county in itself, would occupy a very different position from a borough which was cut out of a county.

Question put, and *negatived.*

SIR WILLIAM HARCOURT, in moving an Amendment, at the end of the 2nd sub-section, providing that the financial adjustment entered into between county and borough "shall remain in force for three years and no longer," said, he wished to point out that the adjustment in the Bill was a final one, founded on a condition of things likely to change. Great changes might take place not only in the population, but in the wealth of different districts, and to fix an adjustment now which was to be regarded as permanent would be unwise and unjust. This financial arrangement must be a tentative one, because how it would work out no one could tell.

Amendment proposed,

In page 22, line 33, at end insert—"Provided that such adjustment shall remain in force for three years and no longer."—(*Sir William Harcourt.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he wished to point out, in answer to some previous observations, that London kept a smaller amount of the Licence Duties than it might fairly claim as compared with the Licence Duties collected in other parts of the country. He thought that Derby would benefit twice as much, if not more, by this new financial arrangement than London would. He thought that the financial adjustment must be one lasting for some considerable time; but to limit the period to three years would be to keep up a constant ferment between county and borough with the view of getting the arrangement upset in a short time. Much friction would thereby result. It was hoped that the Commissioners would settle the matter in a fair and equitable way, and the Government had no doubt they would do so.

SIR HENRY JAMES said, he supported the view of the right hon. Member for Derby, that there should be some revision of the adjustment at some time. Hardship would be inflicted if those adjustments were to be made permanent; because alterations might take place in the population and the wealth of localities. If the Amendment were carried, however, they would have to begin by fresh legislation at the end of the proposed period for a new adjustment. In those circumstances, he suggested a modification, to the effect that either of the interested parties to the adjustment might go to the Local Government Board and ask for a special re-adjustment, where there was anything like injustice apparent.

SIR WILLIAM HARCOURT: I should be glad to do that.

MR. HANDEL COSSHAM (Bristol, E.) said, he thought that one of the great dangers likely to arise from this Bill would be the friction arising from the want of proper adjustment between boroughs and counties. He though the suggestion of the right hon. Member for Derby a reasonable one.

MR. S. HOARE (Norwich) said, he hoped the Government would be able to give the House some hope that there would be a period fixed when this question could be revised. He supported the view of the right hon. and learned Member for Bury.

MR. RITCHIE said, that he was anxious to make an arrangement which should work satisfactorily, and he would suggest that on the Commissioners Clause the Government should introduce an Amendment fixing some period, say, five years, and giving all parties who thought themselves unfairly treated the opportunity of making complaint to the Local Government Board.

Amendment, by leave, *withdrawn.*

MR. HENRY H. FOWLER (Wolverhampton, E.) moved to omit Sub-section 3, enacting that in making such adjustments the Commissioners may consider the effect on the financial position of the county of the provisions of this Act with reference to all the county boroughs deemed to be situate therein.

Amendment proposed, in page 22, to leave out Sub-section (3).—(*Mr. Henry H. Fowler.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

VISCOUNT CRANBORNE said, he hoped that the Government would retain the sub-section. The words were, no doubt, slightly obscure, but the meaning was tolerably plain—namely, that the Commissioners should consider the financial effect upon the county of having these large boroughs taken out of them. If these words were taken out, there would be no sufficient words of direction as to

the apportionment of the Exchequer contribution.

SIR HENRY JAMES said, that it was impossible to tell what meaning would be given to the words by the Commissioners. The Commissioners might think they had power to levy taxation, or to alter the incidence of taxation between urban and rural districts. The Government had promised that the boroughs placed in the IVth Schedule should neither lose nor gain by the arrangement. The end aimed at by the sub-section was sufficiently attained by other words in the clause.

MR. RITCHIE said, that throughout the whole career of the Bill, he had found nothing more embarrassing than the suggestions made on behalf of individual interests. The words were introduced in consequence of representations made on behalf of Lancashire. He had always felt that the words were obscure, and there was a great deal of force in the argument of the right hon. and learned Member for Bury. He would appeal to the right hon. Baronet opposite the Member for the Clitheroe Division of Lancashire whether the sub-section was really necessary?

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe) said, he agreed with the right hon. Gentleman that the words were not perfectly clear. All that was meant was, that the Commissioners should be able to take into consideration the financial adjustments which would be necessary between the boroughs and the counties. There were now 14 borough counties in Lancashire, whereas, as the Bill was introduced, there were only two. He would propose that, instead of the sub-section, the following words should be inserted:—

"In making such adjustment the Commissioners may consider the effect on the financial position of the counties of the provisions of this Act causing the boroughs situate therein to become county boroughs."

SIR WILLIAM HARCOURT said, that his right hon. Friend's suggestion was worse than the sub-section as it stood. The other portions of the clause sufficiently carried out what was desired.

MR. RITCHIE said, he did not think that the sub-section was necessary, as the other part of the clause would give all the protection asked for.

SIR MATTHEW WHITE RIDLEY (Lancashire, N., Blackpool) said, he thought that if the right hon. Gentleman (Mr. Ritchie) would give them an assurance to that effect, they need not insist upon the retention of the words.

MR. RITCHIE said, he could give that assurance. He fully believed that all the interests of Lancashire were adequately protected by the clause without the sub-section.

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale) said, that the boroughs were returned as county boroughs on the distinct understanding that the county at large should not suffer by the change. That was the point of the matter, and he did not feel so certain as the right hon. Gentleman who had charge of the Bill that the Commissioners would necessarily understand the arrangement in the sense in which it was agreed to by the House.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, there could be no doubt that the understanding was that neither the county nor the boroughs should lose. There was an absolutely equitable arrangement of the matter; but if, on further consideration, they found that there was anything which would suggest unfairness, the Government would endeavour to rectify it in "another place."

Question put, and *negatived.*

On the Motion of Mr. RITCHIE, Amendment made, as follows:—

"Provided, that at any time after the end of five years from the making of an agreement or award adjusting the financial relations of any county or borough the Local Government Board shall have the power to appoint an arbitrator charged with the duty of making a new adjustment."

Other Amendments made.

On the Motion of Mr. MACLURE, the following Sub-section inserted, in page 24, line 41:—

"Where for the purpose of calculating any contribution or payment to be made under this Act, it is necessary to ascertain the rateable value of both a county and a county borough, such rateable value shall be ascertained in like manner as the basis or standard for a county rate is ascertained at the date of the passing of this Act, but such rateable value shall be fixed by a joint committee composed of representatives of all the councils concerned, and the number of representatives for the county, and each county borough respectively shall be

settled by agreement, or in default of agreement by the Local Government Board."

Clause 32 (Application of Act to larger quarter sessions boroughs not treated as counties).

MR. GULLY (Carlisle) proposed to insert the following sub-section:—

"It shall be lawful for Her Majesty the Queen at any time, on petition from the council of the borough, by Order in Council to declare such borough to be a county borough, and from the date named in such order such borough shall be a county borough within the meaning and for the purposes and subject to the provisions of section 31 of this Act."

He said, that while the Bill was passing through Committee an Amendment had been moved at this point, which had had the effect of cutting out a number of Amendments dealing with the case of boroughs with a population of less than 50,000. He contended that the test of population was a rough and rude one. He thought boroughs like Cambridge, Carlisle, and Oxford—all places of considerable antiquity, and capitals of large districts—had greater rights to self-government than places like West Ham and Bootle, which were mere aggregations of bricks and mortar in the suburbs of a large town. Again, the right hon. Gentleman the President of the Local Government Board had already departed from the population test and had admitted some boroughs on the ground that they were counties in themselves. He thought that there should be some tribunal which should be able to settle claims of this description.

Amendment proposed,

In page 29, line 20, after the word "elections," to insert the words—"(8.) It shall be lawful for Her Majesty the Queen at any time, on petition from the council of the borough, by Order in Council to declare such borough to be a county borough, and from the date named in such Order such borough shall be a county borough within the meaning and for the purposes and subject to the provisions of section thirty-one of this Act."—(*Mr. Gully.*)

Question proposed, "That those words be there inserted."

MR. WATSON (Shrewsbury), in supporting the Amendment, said, he considered it to be very hard that such boroughs as Carlisle, represented by the hon. and learned Member (Mr. Gully), and Shrewsbury, his own constituency, should be excluded from the schedule of borough counties.

MR. RITCHIE said, he could not too often say how much he regretted that the Government were not able to adhere to the original proposal; but they could hold out no hope of going below the limit of 50,000. He could not, therefore, accept the Amendment, which would leave it open to any borough to make this application. That would be to introduce an element which would be by no means conducive to good relations between the boroughs and the counties. The hon. and learned Member for Carlisle (Mr. Gully) spoke of West Ham, and said that antiquity had more claims than bricks and mortar. The Government had great respect for antiquity, as they had shown in the case of Canterbury, but they attached much more importance to bricks and mortar. West Ham had a population approaching 200,000, and if any borough had a claim to be made a county, West Ham had. He should be very glad if he could meet the wishes of every hon. Member with respect to his own particular constituency; but that would be impossible, considering the framework of the Bill.

MR. ROWNTREE supported the Amendment.

MR. AINSLIE (Lancashire, N., Lonsdale) said, he felt bound to express his regret that the right hon. Gentleman had conceded so much already.

MR. JAMES STUART (Shoreditch, Hoxton) said, he thought that the right hon. Gentleman might make the concession asked for.

Question put, and *negatived.*

Other Amendments made.

Clause 35 (Application of Act to smaller quarter sessions boroughs with population under 10,000).

SIR GEORGE RUSSELL (Berks. Wokingham) in moving, in page 30, line 12, to leave out "according to the Census of 1881," in order to insert "on the 1st day of June, 1888," said, as the Census of 1881 was so remote, and the country was on the eve of another Census, it seemed to him that it would be very unfair to take the popuulation of the 10,000 boroughs at the rate of the census of 1881. In pressing the Amendment on the right hon. Gentleman the President of the Local Government Board, he might, perhaps, use the *argumentum ad hominem*, and ask the right hon. Gentle-

man what he would think if he were to estimate his position in 1888 by comparing it with what it was in 1881.

Amendment proposed,

In page 30, line 12, to leave out the words "according to the census of one thousand eight hundred and eighty-one," and to insert the words "on the first day of June one thousand eight hundred and eighty-eight."—(*Sir George Russell.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. LONG said, he regretted that it was necessary to make a difference in the proposals in the Bill dealing with 50,000 boroughs and those dealing with 10,000 boroughs. He could assure the hon. and learned Member that the difficulty the Government had already had in having to contend with the representations from gentlemen connected with the different boroughs in the contry with regard to the 50,000 limit would lead them to believe that it would be a very dangerous thing indeed to accept this Amendment. There was nothing which would enable the Government to declare whether boroughs were rightly estimated or not, and, under the circumstances, although they regretted that smaller boroughs should be placed at this disadvantage, it would be absolutely impossible to accept the Amendment.

Question put, and *agreed to.*

Other Amendments made.

Clause 37 (Application of Act to Metropolis as county of London).

Amendment proposed,

In page 33, line 18, after the word "councillor," to insert the words "Provided that there shall be no further appointment of county aldermen after the first day of January one thousand eight hundred and ninety-five."—(*Mr. James Rowlands.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

MR. LAWSON (St. Pancras, W.), in moving to insert an Amendment in page 34, line 14, said, he contended that the London County Council should have exactly the same authority as that possessed by the Council of any other great town, or even of any small district. He wished to know whether the right hon. Gentleman would seriously contend that the Governing Body in London was less fit than others to exercise these powers, having regard to the community they would represent?

Amendment proposed,

In page 34, line 11, after the word "purpose," to insert the words "The London county council shall have the same powers of promoting and opposing Bills in Parliament, and otherwise acting for the promotion and protection of the interests of the inhabitants of the county, as if the county council were a governing body within the meaning of the Act of the Session of the thirty-fifth and thirty-sixth years of Her present Majesty, chapter ninety-one, intituled 'An Act to authorise the application of funds of municipal corporations and other governing bodies in certain cases.'

Provided that so much of section four of the said Act as requires any consent of owners and ratepayers shall not apply to any expense incurred by the county council if it be approved by not less than two-thirds of such council."—(*Mr. Lawson.*)

Question proposed, "That those words be there inserted."

SIR JULIAN GOLDSMID said, he felt it his duty to give the Amendment his cordial support. This power would enable the County Council for London to initiate many works of improvement, and a power which was possessed by the Corporation of the City of London ought certainly to be given to the County Council of London.

MR. BAUMANN (Camberwell, Peckham) said, he could not approve the Amendment, which appeared to him to be, to some extent, unnecessary. The Metropolitan Board of Works, whose powers would be transferred to the new Metropolitan County Council, at present possessed the right of promoting and proposing Bills, subject to two very wholesome and salutary restraints, one of which was that, in addition to each Bill having to pass through the ordinary ordeal of a Private Bill, there must at the end of each Session be passed a Public Bill, which was termed the Metropolitan Money Bill, and which authorized the expenditure previously sanctioned by each Bill. This, he thought, was a very salutary safeguard, requiring as it did that the Public Bill should run the gauntlet of the House, and it also had the advantage of enabling the House to gather, from the contents of the Public Bill, the total liabilities which it was proposed to incur. The Metropolis was so vast, and its population so immense, that it required

far greater protection than any ordinary town, and it could not safely be emancipated from all Parliamentary control. He submitted that the House ought not to relax by one jot the control of Parliament over the proceedings of the County Council of London, which was to succeed the Metropolitan Board of Works. In London the stakes were too large, the opportunities were too tempting, the immunity was too easy in a City where no one knew what his neighbour was about, for Parliament to dispense with a single guarantee or check.

SIR CHARLES RUSSELL (Hackney, S.) said, he had listened with amazement to the speech of the hon. and learned Member. In the Bill it was sought to construct a directly representative Governing Body; and any speech more thoroughly marked by utter distrust of that Body than the speech of the hon. and learned Member he had not heard. The hon. and learned Gentleman seemed to think that because London was rich the members of the County Council would be so thoroughly saturated with notions of corruption that they might not be trusted to look after the interests of their constituents. If this were a sound view, why constitute and trust such a body at all? The hon. and learned Member had not given a single reason, except that London was a large place, why London should be deprived of the power at present possessed by every municipal borough in the country.

MR. RITCHIE said, he scarcely thought that the observations of his hon. and learned Friend (Mr. Baumann) were open to the severe criticisms of the hon. and learned Gentleman (Sir Charles Russell). He did not think that his hon. and learned Friend had shown marked distrust of the County Council, as had been suggested. His hon. and learned Friend was one of the first persons to express to himself the desirableness of giving the County Council of London as much power as could be given consistently, and to increase the importance of the County Council of London. He pointed out that Parliament had placed a restriction on the Municipal Corporations. He admitted that the provisions of the Borough Funds Act ought to be reconsidered; but, so far as they went, they said that, with reference to particular powers, there ought to be a reference to the owners and occupiers before those powers were exercised. It was admitted on all hands that this was impossible in London, because of the largeness of the area. The importance of the question connected with London was in this—that the town was so enormous; and if the restrictions were considered necessary in smaller areas, they were 10 times more necessary in London. He believed that the proposal of the hon. Gentleman the Member for West St. Pancras (Mr. Lawson) would have this additional disadvantage if the first election in London were complicated with this question. He believed that if those powers were conferred a party might arise in London—a party of suspicion—with reference to the action of the London Council in those matters, and this might greatly interfere with the return of members to the London Council of the class they desired to see there. By accepting the Amendment of the hon. Gentleman, they would be greatly adding to the burdens in connection with the work which the London Council had to do so as to seriously interfere, not only with the election of its members, but with the routine work which they had to take over from the Metropolitan Board of Works. The power of opposing Bills had already been conceded, and the Council would have the power of promoting Bills now enjoyed by the Board of Works. He urged the House not to further increase the duties and responsibilities of the new Council.

MR. FIRTH (Dundee) said, he thought this proposal was one which the House might very safely consider. They were simply asking for the new and large Council of London powers which had already been entrusted to the smallest Local Boards in the country.

MR. RADCLIFFE COOKE (Newington, W.) said, if it was the opinion of the Government that the London County Council was fit to administer the affairs of this great Metropolis, it ought to have the powers which were entrusted to the smallest Municipal borough in the Kingdom.

MR. J. ROWLANDS (Finsbury, E.) said, it was impossible for the Government of this country, considering the enormous functions it had to perform,

to exercise proper control over the Governing Body of London. He hoped the Government would not refuse to London the powers which were given to so many Local Bodies throughout the country.

MR. W. H. SMITH said, the debate had been most ably conducted on both sides, and he would ask the London Members to assist the House at once to come to a decision. The fact of the case was well known to the House and the country, having already been thoroughly discussed in Committee. The Government regretted that they were obliged to oppose the proposal of the hon. Member in its present shape, although he admitted that the time must arrive when extended powers would have to be given to the County Councils.

MR. JAMES STUART said, that the London Members had not either on this or on any other question unduly occupied the time of the House. They would take a Division on the matter if the right hon. Gentleman could not see his way to accepting the Amendment. The chief merit of the Bill was the creation of a London County Council, and if they were not going to give the Council anything to do, what was the good of bringing it into existence? Were they going to keep from the County Council of London powers which were already possessed by the most paltry Local Board in the country? The new Body was a representative Body, which the Board of Works and the Asylums Board were not. There were ample safeguards in the requirement of advertisements, second meetings of the Council, an absolute majority of the Council, and the consent of the Local Government Board or the Home Office, as the case might be, before any of these powers could be exercised.

MR. R. G. WEBSTER remarked, that the County Councils were like young bears, who, so to speak, had all their troubles before them. Speaking from experience, he thought that the Council would have a great deal to do without these powers, which would be very dangerous powers, until it could be seen how the new system worked. There was no reason to suppose that the popularly elected Body would be more economical than the Bodies which it displaced. Perhaps 12 months hence he would have the opportunity of pointing out many laches and many difficulties in the Local Government scheme. He thought it was very undesirable that they should unduly tax the powers and duties of the new County Council for London at the outset, particularly with regard to the promotion and opposition of private Bills.

MR. CAUSTON (Southwark, W.) said, he hoped the Government would soon lose the terrible fear which they seemed to entertain of London and the London people, who were a very law-abiding people. If their fears on this subject were genuine, instead of giving either Local Government or Home Rule, they had better introduce a Coercion Bill for London.

Question put.

The House *divided*:—Ayes 138; Noes 164: Majority 26.—(Div. List, No. 243.)

Other Amendments made.

Clause 42 (Application of Act to certain special counties).

Amendment proposed,

In page 38, line 30, after the word "Cambridge," to insert the words—

"(d.) The Liberty of Peterborough and the residue of the county of Northampton shall be respectively separate administrative counties for the purposes of this Act, and are in this Act referred to as divisions of the county of Northampton."—(*Mr. W. J. W. Fitzwilliam.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he agreed that there was much to be said for Peterborough; but to carry out the intentions of the Amendment a number of new clauses would have to be added. He was afraid the claims of Peterborough would have to be left to the tender mercies of "another place."

Amendment, by leave, *withdrawn*.

Other Amendments made.

Clause 44 (Saving for salaried chairman of quarter sessions of Lancashire).

Amendment, by leave, *withdrawn*.

Amendment proposed, in page 40, to leave out Clause 44.—(*Mr. Maclure.*)

Question, "That the words 'Nothing in this Act' stand part of the Bill," put, and *agreed to*.

Other Amendments made,

MR. WARMINGTON (Monmouth, W.), in moving to add, at the end of Clause 48, which deals with the boundaries of counties, an Amendment providing that the boundaries of the counties of Monmouth and Brecon should remain as now existing, said, that under the Bill where an urban sanitary district was situate partly within and partly without the boundary of a county the district should be deemed to be within that county which contained the largest portion of the population of such district. The result in the case named would be that the county expenses and local rates would be considerably increased. The population of Monmouth generally were against the change, and the magistrates were unanimously opposed to it. They asked the House of Commons to say that the circumstances of the case were so peculiar that the boundaries should remain as at present.

Amendment proposed,

In page 44, line 7, after the word "York," to insert the words—

"(e.) The boundaries of the counties of Monmouth and Brecon shall remain as now existing."—(*Mr. Warmington.*)

Question put, "That those words be there inserted."

The House *divided*:—Ayes 119; Noes 182: Majority 63.—(Div. List, No. 244.)

Other Amendments made.

Clause 53 (Future alterations of boundaries of county and borough, and of electoral divisions of a county).

On the Motion of Mr. STANSFELD, the following Amendment made:—In page 46, after sub-section (e.) insert—

"(f.) Or that the alteration of any area of local government partly situate in their county is desirable."

Clause 56 (Additional powers of Local Government Board as to unions).

MR. C. T. D. ACLAND (Cornwall, Launceston), in moving an Amendment in page 49, line 12, providing that in the case of a Union situate in more than one county the Local Government Board might continue it as one Union, not only for the purposes of indoor paupers, as provided by the Bill, but also for the levying and administration of the poor rate, said, that his object was to preserve Unions as one great area for Poor Law purposes.

Amendment proposed, in page 49, line 12, after the word "purposes," to insert the words "or for the levying of the poor rate."—(*Mr. Charles Ackland.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, that there were cases in which it would be undesirable to separate two Unions, because it would impose upon one of them the obligation to build a workhouse which at present sufficed for both. These were known as Doyle Unions, which were one for indoor relief but two for outdoor relief.

Amendment, by leave, *withdrawn.*

Clause 59 (Appointment of Commissioners).

On the Motion of Mr. RITCHIE, the following Amendments made:—In page 51, line 14, after "Act," to insert—

"The Right honourable The Earl of Derby, the Right honourable John George Shaw Lefevre, John Lloyd Wharton, esquire, F. Mowatt, esquire, and Joseph J. Henley, esquire;"

page 52, line 10, after "settlement," to insert—

"And until a final settlement is made the authority of the Commissioners shall extend to determine the proportions in which payments are to be made to the councils of counties and county boroughs out of the Local Taxation Account, and all payments so made shall be taken into account in the making of the adjustment."

Other Amendments made.

Clause 72 (Annual budget of county and district Councils).

Amendment proposed,

In page 62, line 10, after the word "rate," to insert the words—"A copy of every such estimate, as mentioned in this section, together with the estimated amount of any contribution or rate required to be levied, shall be sent to every county councillor not less than fourteen days before the meeting of the council at which it is proposed to order the contribution or rate to be made, and shall be sent in the same manner in which notices of meeting are sent to such councillor."—(*Mr. Maclure.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Other Amendments made.

Clause 74 (Amendment of County Electors Act, 1888).

On the Motion of Mr. RITCHIE, Amendment made, in page 65, line 39, after

sub-section 2, by inserting the following sub-section :—

"The names of the parliamentary electors and county electors in the lists in each polling district may be numbered consecutively ; and such portion of those lists as consists of the names of parliamentary electors may be taken to form the register for the purpose of parliamentary elections, and such portion of those lists as contains the names of county electors may be taken to form the register of county electors."

Other Amendments made.

Clause 88 (Special provisions as to adjustment in the Metropolis).

On the Motion of Baron DIMSDALE, the following Amendments made :—In page 77, line 7, leave out the first "county," and insert "counties ; " after "Surrey," insert "and Middlesex respectively ; " line 8, leave out "sum," and insert "sums ; " leave out "county," and insert "counties ; " after "Surrey," insert "and Middlesex respectively ; " and in line 10, leave out "a liability," and insert "liabilities."

Clause 97 (Interpretation of certain terms in the Act).

On the Motion of Captain COTTON (for Mr. Tatten Egerton), the following Amendment made :—In page 81, line 24, at end add—

"And the expression 'property' shall further include, in the case of the county of Chester, any surplus revenue of the River Weaver Trust, which is or would but for this Act be payable to the quarter sessions."

Other Amendments made.

Clause 100 (First election of county councillors).

On the Motion of Mr. RITCHIE, the following Amendment made :—In page 84, at end of line 24, insert—

"The sheriff having authority in any administrative county, or largest part thereof, shall for the purposes of this Act be deemed to be the sheriff of that county."

Other Amendments made.

Clause 102 (Preliminary action of county councillors as provisional council).

On the Motion of Mr. RITCHIE, the following Amendment made :—In page 85, at end of line 22, insert—

"And the term of office of such chairman shall end on the ordinary day of election of chairman in the three years next after the passing of the Act."

Other Amendments made.

Clause 112 (As to commission of the peace for London).

On the Motion of Mr. RITCHIE, the following Amendment made :—In page 92, line 32, at end, insert—

"The fees payable to the clerk of the peace and clerks of the justices and other officers and authorities in Middlesex at the passing of this Act, shall be the first fees which may be taken in the county of London by the clerk of the peace, the clerks to the justices, and other officers and authorities in the county of London, and may continue to be taken until they are abolished or altered in manner provided by law with respect to the abolition and alteration of such fees."

Other Amendments made.

Clause 118 (Grant and application of part of probate duty and of horse and wheel tax during the year ending 31st March 1889).

Amendment proposed, in page 100, lines 18 and 19, to leave out the words "trade carts."—(*Mr. Causton.*)

Question proposed, "That the words 'trade carts' stand part of the Bill."

Amendment, by leave, *withdrawn.*

On the Motion of Mr. RITCHIE, the following Amendment made :—In page 100, line 38, leave out sub-sections (iii.) and (iv.), and insert the following sub-sections :—

"(iii.) If the amount received by the local taxation account from the duties on licences for trade carts, locomotives, horses, mules and horse dealers under any Act of the present Session, exceeds the sum so payable to county and highway or other local authorities, the excess shall be divided between the metropolis and quarter sessions boroughs, in proportion to their rateable value, as ascertained by the valuation lists, or where there is no valuation list by the last poor rate ;

(iv.) The share of the excess distributed to the metropolis shall be divided between the Commissioners of Sewers in the city of London and the vestries and district boards in the parishes in Schedule A and the districts in Schedule B to 'The Metropolis Management Act, 1885,' as amended by subsequent Acts, according to rateable value as ascertained by the last valuation lists, and the share distributed to quarter sessions boroughs shall be paid to the councils of such boroughs ;

(v.) If any payment is made under the foregoing provisions of this section respecting roads to the council of any quarter sessions borough, or to any authority for a highway area wholly or partly situate in such borough, or to the highway authority of any parish or district in the metropolis, the share of such quarter sessions borough, parish, or district in the distribution of the balance shall be reduced by the amount of the said payment, and, if less than that amount, shall not be paid, and any sum arising

from such reduction or non-payment shall be added to the balance and distributed accordingly;

(vi.) Any sum payable in pursuance of this section to a county authority or the council of any borough, not being a highway authority, shall be paid to the county or borough fund as the case may be, but any other sum payable under the provisions of this section respecting roads, or respecting the division of the excess to any highway authority commissioners of sewers, vestry, or district board, shall be applied in aid of the costs of the roads maintained by such authority, commissioners, vestry or board;

(vii.) Any balance remaining after the above payments shall be divided among the counties in England, in accordance with the provisions of this Act with respect to the division of the probate duty grant, and the share assigned to each county on such division shall be applied towards paying to the guardians of each poor law union wholly or partly situate in the county such sum as is directed by this Act to be annually paid by the county council of such county to such guardians;

(viii.) Any balance remaining after the payment to the guardians of such union shall be paid to the county council of the county upon its coming into office, and, if there is any county borough in the county, the sum so paid shall be included in the adjustment under this Act between the councils of the county and borough."

Schedules *agreed to* with Amendments.

MR. RITCHIE: It is necessary that I should now ask the House to recommit the Bill, in order to introduce two Amendments which have been omitted. I beg to move, Sir, that you do now leave the Chair.

Motion made, and Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *re-committed* in respect of an Amendment to Clause 15, and an Amendment to Clause 17.

Bill *considered* in Committee.

(In the Committee.)

On the Motion of Mr. RITCHIE, the following Amendments made, in Clause 15, page 9, line 12, after "road," to insert—

"And the Act of the Session of the forty-fourth and forty-fifth years of the reign of Her present Majesty, chapter seventy-two, shall be repealed;"

and in line 18, before "such," insert "and of the expenses of the Commissioners;" in Clause 17, page 10, line 24, after "authority," add as a separate sub-section—

"(3.) The Local Government Board, by Provisional Order made on the application of the council of any of the counties concerned, may constitute a joint committee or other body representing all the administrative counties and county boroughs through which a river, or any specified portion of a river, passes, and may confer on such committee or body all the powers of a sanitary authority under 'The Rivers Pollution Prevention Act, 1876,' or such of them as may be specified in the Order; and the Order may contain such provisions respecting the constitution and proceedings of the said committee or body as may seem proper, and may provide for the payment of the expenses of such committee or body by the administrative counties and county boroughs represented by it."

Bill *reported;* as amended, *considered.*

MR. RITCHIE: I now beg to move that the Bill be read a third time.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Ritchie.*)

SIR WILLIAM HARCOURT: I am sure we must all be very glad that we have at last reached this stage, and the first observation which I will make upon the Bill will be to offer the congratulation of this House to the right hon. Gentleman. I am sure we have all recognized the ability, the temper, the conciliatory demeanour, and the strong common sense which he has displayed, and which has enabled him to carry a measure of this magnitude through the House of Commons. At this time of night I shall not think of detaining the House by endeavouring to make any lengthened observations on the character of the Bill. Any observations we, on our side, may have to make upon it must, I am afraid, be reserved for another place—I do not mean the House of Lords. We have places in which we can comment upon the proceedings of Parliament which are not the other House. Glad as I am that this measure should have been launched, and should have sailed into port safely, I must say I wish it had been a bark of larger burden, and that it had carried a more valuable freight. The character of this Bill is two-fold. There belongs to it both the machinery you have created, and the work you have given that machinery to do. As regards the first part—that is to say, the machinery you have created—I have very little except approval to express. You have removed what we consider an inefficient machinery, and you have created by the Bill a new machine. No doubt, there are some

defects in the machine from our point of view, but I will not dwell upon that question now. At all events, I must say you have now in place of the hand loom created a great steam power; you have made a great manufactory, as it were, and you have put into it a powerful machine in the shape of a popular Representative Body. But having done that, what are the looms which you have put into the manufactory for your machine to work—what is the work you have given your machinery to do? Well, that is to be found in Clause 3, and I am sorry to say that it seems to me that the work is too narrow and insufficient for so a great a machine as you have set up. Besides the work connected with the Pauper Lunatic Asylums—which will be transacted, I imagine, as it is at present, by a small Committee—and work connected with reformatory schools, which will not occupy much of the attention of the County Councils, and work connected with the Contagious Diseases (Animals) Acts—though we are told they are very likely to be delegated to the Justices—and work connected with the bridges and main roads, and besides the divided authority you have given County Councils in regard to police administration, this great popular representative Body will have nothing to do. Now, I am quite aware that the right hon. Gentleman will declare that that is not what he wishes this Body to do, but all the rest is reserved for the future. I regret that, because I am afraid that if you elect this Body with this uninteresting task before it, you will not get that interest taken in it, and those persons elected which you would desire to have. I regret, therefore, that a considerable part of this Bill has, during its progress through the House, been struck out, and that the County Councils, at the commencement of their work, will find that work of a very narrow kind. And to this part of the question also belongs the other observation, that not only have you set this Body very little to do, but that in the course of the Bill its means of doing it have been reduced. You have diminished its power over the funds at its disposal, and its borrowing powers. It must be remembered that few great works can be undertaken, and you have cast upon one single generation the whole burden of work, such as great arterial drainage schemes, or the building of bridges, and things of that kind—works which may last for centuries. But, above all, I regret that you should have thought it necessary to refuse to these great Bodies, and even to the great County Council of London, the power of promoting Bills—that is to say, of applying to Parliament for power to carry out works which they may consider essential to the community. There seem to me defects in the measure of a character which I am afraid will, to a considerable degree, diminish its utility. I am afraid people will think that you have created a very imposing machine, and that you have given it a very little to do. It is true that the right hon. Gentleman promises us something in the future. He says that in this respect there is to be some *paulo post futurum* provision—and I hope *paulo* will be the emphatic word in that sentence, and that we shall soon have provisions which will give to these County Councils greater dignity and utility than I am afraid is contained in the four corners of this Bill. There is an old saying that "batchelors' bairns are aye good children, for they hae yet to be born," and that is a proverb which may be applied to the clauses of this Bill that we have not seen, but which we are promised in the future. However, with all these defects, I, for one, look upon this measure with satisfaction, because I am sure that it must be the commencement of great things in the future; above all, I have seen with satisfaction the clauses relating to London Government. There is enshrined within the Bill a principle for which, on this side of the House, we have always contended—namely, that there ought to be a single government for London. But the proposals which have been made at various times by the Corporation, especially to break up London into small fractions, are finally disregarded and put an end to by the provisions of this Bill, and, as the right hon. Gentleman has said, this Bill is only an embryo of the future plans for the government of London, which I hope may one day assume a form which may be worthy of the Metropolis of England. Therefore, although he was unable to say that the Bill was in all respects such as he should have desired, he could not help congratulating the House on having

made a long step towards the completion of a great work, and in that sense he thought the House might cordially agree to the Third Reading of the Bill.

MR. RITCHIE: Sir, my first duty is to recognize, and we most cordially recognize, the spirit which has actuated the right hon. Gentleman the Member for Derby in what he has just said; and I am greatly obliged to him for the compliment he has been good enough to pay me with reference to my conduct in reference to this Bill. Then, Sir, I have this to urge—that whatever may have been my conduct in carrying it through, it would have been quite impossible for me to succeed in my endeavour if I had not received the cordial assistance of hon. Gentlemen on both sides of the House; and my thanks are therefore due to hon. Members in all quarters of the House for the assistance they have given the Government in passing the Bill. First, and naturally, those thanks are due to my hon. Friends on this side. I know there are in the Bill many provisions which must have been to some extent unpalatable to many of them—especially hon. Gentlemen who have for so many years been charged with the management of the affairs of Local Government, and whose conduct in that respect has met with universal approbation. There must have been some feelings of the kind I have described, when it was found that those powers which have been exercised by Quarter Sessions for many years were to be relegated to a Body so differently constituted; but, notwithstanding this, they have cordially assisted the Government during the passage of the Bill, and I welcome with the utmost satisfaction the opinions expressed on both sides of the House that in the future efforts will be made by those hon. Gentlemen to continue to take an adequate share in county government. Sir, it would have been an unhappy incident in these discussions if we had reason to suppose that hon. Gentlemen who have hitherto taken a leading part in county government would not freely offer themselves to the electors under the new condition of affairs; but I may call attention to the fact that our minds are relieved from any apprehension of that kind by the knowledge, which we have, that gentlemen in the counties, of all shades of politics, are prepared to accept the new condition of things, and do their utmost to make the county government of the future at least as good as the county government of the past. I thank hon. and right hon. Gentlemen on the other side of the House, and in all parts of the other side, for the manner in which they also have assisted the Government in passing this Bill. I know well that it bristles with subjects on which hon. Gentlemen are naturally exceedingly anxious to express their views to the House and the country; but they have refrained in a remarkable degree, believing, I am sure, that they would probably assist the progress of this great measure best by refraining from an undue expression of opinion with reference to its various provisions, on many of which they hold strong opinions. The right hon. Gentleman the Member for Derby has said that he approves, to a large exent, the machinery of the Bill; but he does not think that the work which we have thrown upon the County Councils is altogether adequate to the machinery set up. With reference to this, I would say that no prudent manufacturer, having started new machinery, would overload it; he would rather desire to test all the bearings of the machinery which he has set up, in order to see whether it is capable of enduring the strain of the additional work which he hopes at some future time to cast upon it; and, Sir, that is the view we have of this Bill. We do not at all wish, and we have never said, that the work we have cast upon this great machinery is the only work which we think it will be capable of properly performing in the future; on the contrary, we think there is a great future for the Councils we have set up. But we believe also, that it would be most imprudent and unwise for us to overload at the outset the machinery now created. We believe that in future it will be found thoroughly capable of performing all the work which the country may think fit to devolve upon it. The Government has no desire to take undue credit for what they have done; but it must be acknowledged by the House that we have accomplished that in which many previous Governments have failed. We have succeeded, to the universal satisfaction of the House, in setting up these great Councils throughout the lenghth and breadth

of the land, thoroughly representative as they are; but, in addition to that, we have set up in this great City of London a Body which, I think, will prove to be adequate to sustain the enormous burden that will be thrown upon it. In saying this I do not wish to disparage the amount of good work which the Metropolitan Board of Works has done in the past; and I hope that the cloud which is passing over that Board will not obscure from the minds of Londoners the work which they have done; but the time has now arrived when a Body so constituted must be replaced by one which is truly representative. We have set up that Body, and we believe that it will be a very great benefit to the people of London. I do not desire now to say one controversial word in connection with this Bill, and nothing remains for me but to conclude by again expressing my cordial thanks to right hon. Gentlemen on the Front Bench opposite and to hon. Gentlemen in all parts of the House for the assistance they have given to the Government in our endeavours to settle this great and complicated question in a manner which I believe will be satisfactory to the country.

Question put, and *agreed to.*

Bill read the third time, and *passed.*

QUESTION.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ARREST OF MR. O'KELLY.

MR. PARNELL (Cork) said, he wished to ask the hon. and learned Gentleman the Solicitor General for Ireland (Mr. Madden) whether the Crown will agree, on Wednesday next, to the application for the adjournment of the case of Mr. O'Kelly until the House adjourns for the Autumn Session? He thought, as there had been such long delay in taking proceedings against Mr. O'Kelly, that when application was made on his behalf next Wednesday, the Crown ought to be able to adjourn the proceedings to enable him to return to London, and take his part in the discussion on the Members of Parliament (Charges and Allegations) Bill.

THE SOLICITOR GENERAL FOR IRELAND (MR. MADDEN) (Dublin University) said, this Question had come upon him without any Notice. The House would, of course, see that, as the matter was not in his discretion, he could not now answer the Question of the hon. Member. All he could say was that the suggestion made by the hon. Gentleman should have fair attention at the hands of those whose duty it was to decide the matter.

MR. PARNELL said, he would ask the hon. and learned Gentleman the Question again on Monday.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) said, if the reply of the hon. and learned Solicitor General were not satisfactory, he should, on Wednesday, move the Adjournment of the House.

STANDING COMMITTEES (CHAIRMEN'S PANEL).

Ordered, That the Committee of the Chairmen's Panel have leave to make a Special Report.

Mr. Campbell-Bannerman *reported* from the Chairmen's Panel; That they had appointed Sir Henry James to act as Chairman of the Standing Committee on Law, and Courts of Justice, and Legal Procedure, in the place of Mr. Osborne Morgan.

Report to lie upon the Table.

SELECTION.

Ordered, That the Committee of Selection have leave to make a Special Report.

Sir John Mowbray accordingly *reported* from the Committee of Selection; That they had discharged the following Member from the Standing Committee on Law, and Courts of Justice, and Legal Procedure: Mr. Bradlaugh; and had appointed in substitution Mr. Cremer.

Report to lie upon the Table.

MOTIONS.

DODDINGTREE AND BEWDLEY BRIDGES BILL.

On Motion of Mr. Hastings, Bill to relieve the inhabitants of the Hundred of Doddingtree, in the county of Worcester, of the obligation to repair and maintain the Bridges of the Hundred, and to transfer to the county of Worcester the liability of the Borough of

Bewdley to repair and maintain the Bridge over the River Severn in or near to such Borough, *ordered* to be brought in by Mr. Hastings, Sir Edmund Lechmere, and Sir Richard Temple.

Bill *presented*, and read the first time. [Bill 352.]

MUNICIPAL CORPORATIONS (LOCAL BILLS) (IRELAND) BILL.

On Motion of Mr. Sexton, Bill to enable Municipal Corporations in Ireland to apply Municipal Funds in the promotion of Local Bills in Parliament, *ordered* to be brought in by Mr. Sexton, Mr. Murphy, Mr. T. D. Sullivan, Mr. Maurice Healy, Mr. O'Keeffe, Mr. Richard Power, and Mr. Peter M'Donald.

Bill *presented*, and read the first time. [Bill 351.]

METROPOLITAN BOARD OF WORKS (MONEY) BILL.

On Motion of Mr. Jackson, Bill to further amend the Acts relating to the raising of money by the Metropolitan Board of Works; and for other purposes, *ordered* to be brought in by Mr. Jackson and Sir Herbert Maxwell.

Bill *presented*, and read the first time. [Bill 354.]

PUBLIC WORKS LOANS BILL.

On Motion of Mr. Jackson, Bill to grant money for the purpose of certain Local Loans; and for other purposes relating to Local Loans, *ordered* to be brought in by Mr. Jackson, Mr. Chancellor of the Exchequer, and Sir Herbert Maxwell.

Bill *presented*, and read the first time. [Bill 355.]

SEA FISHERIES REGULATION [EXPENSES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the expense of collecting Statistics relating to Sea Fisheries under the provisions of any Act of the present Session for the regulation of the Sea Fisheries of England.

Resolution to be reported upon *Monday* next.

House adjourned at One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 30th July, 1888.

MINUTES.]—SELECT COMMITTEES — *Report* — Poor Law Relief [No. 239]; Sweating System [First Report] [No. 240].

PUBLIC BILLS—*First Reading*—Companies Relief * (241).

Second Reading — Fishery Acts Amendment (Ireland) (86).

Third Reading—Indian Councils Act, 1861, Amendment (224), and *passed*.

PROVISIONAL ORDER BILL—*Report*—Pier and Harbour (No. 2) * (223).

INDIA—ADMINISTRATION OF JUSTICE —ALLEGED DEGRADING EXAMINATION OF A HINDOO GIRL AT PATNA.

QUESTION. OBSERVATIONS.

LORD STANLEY OF ALDERLEY asked the Secretary of State for India, What steps have been taken by the Lieutenant Governor of Bengal with reference to the conduct of Mr. Kirkwood, Sessions Judge at Patna, who was reported to have ordered the examination by a surgeon of a Hindu girl who was complainant in a case of theft of her property by a man recently released from gaol after three years' imprisonment? The noble Lord said, that a Hindu just released from three years' imprisonment had broken into a house at Dinapore and carried off some brass utensils. The occupier of the house, a Hindu girl of 12 years of age, who had left it to fetch some water, returned immediately after the robbery, found the door had been tampered with, and that her brass vessels had disappeared. A hue and cry was raised, and the thief was pursued and captured, and committed to trial by the cantonment magistrate of Dinapore, as he was an old offender. On the 11th of May the prisoner was tried at the Patna Sessions by Mr. Kirkwood. The prisoner had no questions to ask the girl, nor did he set up any defence tending to impugn her character. Nevertheless the Judge, Mr. Kirkwood, thought fit to ask the witness whether she had always been chaste. She said she had, upon which the Judge ordered her to be examined. No evidence against the girl was produced; but Mr. Kirkwood discredited her evidence, and the prisoner, who had made no defence, was acquitted. After this a Punchayat, or committee of five of her caste men, expelled the girl from her caste on account of the outrage put upon her by Mr. Kirkwood, and she had been deprived of her means of subsistence. Now what was the previous record of Mr. Kirkwood's exploits on the Bench? Three cases of his misconduct on the Bench were reported. One of these occurred in 1876, when he was district magistrate in Chittagong, when he wantonly disgraced Babu Lal Chand Chowdhury, honorary magistrate and municipal commissioner, and ordered him to mount guard over a public latrine, the erection

of which he had opposed, and subsequently instituted a groundless criminal prosecution against him. It was said that Mr. Kirkwood should have been dismissed the service at that time, but Sir Richard Temple simply degraded him, and, declaring his unfitness for executive work, transferred him to the Judicial Bench. It also appeared that Lord Lytton considered the sentence on Mr. Kirkwood too lenient, but declined to enhance the punishment. He (Lord Stanley of Alderley) would ask the noble Viscount the Secretary of State what redress he would give to the girl for the outrage which she had suffered from Mr. Kirkwood? This, however, was not the only case of judicial misconduct in Bengal; there were complaints against Mr. Posford and four other civilian Judges or Magistrates. There were also great complaints against the political agents, and these had culminated in the Hyderabad scandals. He regretted to be obliged to say that he thought that the Secretary of State for India or the India Office were responsible for increased misconduct on the part of the officials in India. The Secretary of State had done two acts which must have encouraged the hopes of impunity in wrong-doers, and must have discouraged Governors and Lieutenant Governors in their endeavours to check evil-doers. The Secretary of State last year had refused to make any inquiry into the Arnighad case, on the ground that it had not been referred to him by the Indian Government. If a wrong was done and the Indian Government neglected to redress it, why should they report it to the India Office? The noble Viscount lately professed great respect for the High Courts of India; why, then, had he appointed Sir Alfred Lyall to be a Member of his Council, in the teeth of the summing up of the Chief Justice of Allahabad, since promoted to be Chief Justice of Calcutta, in the trial of Captain Hearsey? In that trial Sir Alfred Lyall had been the virtual defendant. The trial turned upon the bad language used by Mr. Laidman on the Bench. Sir Alfred Lyall had shown, by what he had written in *The Old Pindarry*, that he had no personal predilection for the use of bad language, but he had upheld Mr. Laidman only because he belonged to the Civil Service. Other Members of the India Office Council might have the same tendency always to uphold the Civil Service. If he was mistaken in accusing the India Office, the noble Viscount could prove it by stating how many Minutes of dissent had been recorded by the Council in such cases against his views or those of his Predecessors. In the Cambay case, the noble Viscount had administered a rebuff to Lord Reay, the Governor of Bombay; and Lord Reay must be a man of great forbearance if he had not sent to the Secretary of State a despatch containing most voluminous inclosures of criticism on the course followed by the Secretary of State, taken from the whole Press of India. He would make two entreaties to the noble Viscount—one that he should not put too great a strain upon his personal popularity by refusing to inquire into these matters; the other, that he should rely more upon his own unassisted judgment, and less upon that of Members of his Council. Some might say that he (Lord Stanley of Alderley) had laid too much stress upon this case, and that things might be done in Patna which might not be done in London. But it was not competent to a Secretary of State for India to say that the female subjects of the Empress were to be less protected from outrage than the female subjects of the Queen; and if the Secretary of State were to show by his actions that he thought so, he would be reminded of the words of the Royal Proclamation of 1858, which were only a paraphrase of the words of an ancient Queen—

"Tros, Tyriusque mihi nullo discrimine agetur."

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): My Lords, in answer to the Question put to me, I must refer the noble Lord to the reply given in "another place" on the 24th instant by Sir John Gorst to Mr. S. Smith. That reply was as follows—

"Mr. Kirkwood appears to have ordered a girl of 12, who had accused a man of stealing, to be examined. He has been severely censured for this by the High Court of Judicature in Bengal, and the Lieutenant Governor of Bengal has determined to remove him from judicial service. It is stated that Mr. Kirkwood intends to appeal.

Subsequently information has reached me by telegram that Mr. Kirkwood proposes to resign the Civil Service, if the order of degradation be withheld and the censure restricted to the terms used

by the Bengal High Court—namely, conduct reprehensible in high degree. This proposal is now under the consideration of the Government of India. Whatever decision they may arrive at will be reviewed by me in the usual way when the facts of the case are fully brought to my knowledge. The noble Lord has referred to other cases of alleged misconduct on the part of judicial officers of the Civil Service, and to the apathy of the India Office and of the Government of India; but nothing of the kind, however, has been brought to my knowledge to show that any of the Judges have not behaved properly. Since I have been in Office I have taken care to appoint no judicial officers who are not adequate to perform their duties. I was rather astonished to hear the speech of the noble Lord attacking these officials, because the Notice on the Paper simply referred to one particular case, and I have little to add to the answer given the other day in "another place."

THE EARL OF KIMBERLEY said, he was not in the House when this matter was mentioned, but he understood that some attack had been made upon a very distinguished person. He wished to say that during the time he was connected with Indian administration there was no Governor regarded with more confidence than Sir Alfred Lyall.

OPEN SPACES (METROPOLIS) — THE SPACE AT THE LAW COURTS.

QUESTION.

THE EARL OF MEATH asked Her Majesty's Government, Whether it is true that a sum of money has been placed at their disposal by an anonymous donor for the purpose of defraying the expense of laying out as a public garden the open space adjoining the Law Courts, not at present required for building purposes; and, if so, whether it is true that they propose to carry out the wishes of the donor?

LORD HENNIKER in reply, said, their Lordships would remember that the other day, in reply to the noble Earl, he stated that the First Commissioner of Works had come to the conclusion that whatever was done should not be done out of Imperial funds, but that he was prepared, if any scheme for laying out as a public garden the land in question was proposed, to carefully consider it. He was glad to say that a gentleman, who was not for the first time a benefactor of the public in this direction, had proposed to the First Commissioner to put this piece of ground in order at his own expense. The First Commissioner of Works had consented to the arrangement, and it would be carried out forthwith. He thought it right that he should repeat what he said the other day, so that there should be no misunderstanding. Their Lordships knew that this was a most valuable site, and that it would probably be required by the Lord Chancellor for the extension of the Law Courts. The First Commissioner of Works had allowed the ground to be put in order temporarily; but he had reserved to himself to take back the whole of the ground, or any part of it, at any time that the ground might be required for the Public Service. He should like to add that the ground would be laid out in accordance with a plan prepared by Mr. Street, the architect of the Law Courts.

FISHERY ACTS AMENDMENT (IRELAND) BILL.—(No. 86.)

(*The Lord Macnaghten.*)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD MACNAGHTEN, in moving that the Bill be now read a second time, said, its object was to remedy a defect in the existing law with respect to prohibiting trawling within a given area. The Bill provided that if two-thirds of the registered owners of fishing boats in a given area made a representation to the Fishery Inspectors with the view of having trawling prohibited within that area, the Fishery Inspectors might make an order prohibiting trawling there if they thought fit, and in case the Fishery Inspectors refused to comply with the prayer of the representation, the registered owners might petition the Lord Lieutenant, who might himself make the order.

Moved, "That the Bill be now read 2ª."—(*The Lord Macnaghten.*)

THE LORD PRIVY SEAL (Earl CADOGAN) said, the object of the Bill

was wholly unobjectionable; but he should suggest that in Committee on the Bill the appeal should be, not to the Lord Lieutenant, but to the Lord Lieutenant in Council.

LORD FITZGERALD said, he was strongly opposed to the Bill on the ground that it would empower the Fishery Commissioners, without any inquiry, to make an order on the representation of two-thirds of the owners of fishing boats in a given district, which might seriously affect the interests of others. Unless important Amendments were made in Committee he should strongly oppose the Bill.

THE MARQUESS OF WATERFORD thought the Government were responsible for selecting the best men to fill the position of Fishery Inspectors. That being so, he believed it was an objectionable thing to provide by this Bill that the Lord Lieutenant, without any inquiry, should be empowered to set aside any decision they might arrive at on the subject if a representation was made by the fishermen of the locality with regard to the prohibition of trawling.

LORD MACNAGHTEN said, he was unable to think that the noble Lords who objected to this Bill could have fully acquainted themselves with its provisions. At present the Lord Lieutenant could over-rule the decisions of the Fisheries Inspectors, and there was, therefore, no change in that respect.

Motion *agreed to;* Bill read 2ª accordingly.

House adjourned at Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 30th July 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—Land Charges Registration and Searches * [356].

Second Reading—Consolidated Fund (No. 3).

Committee—Members of Parliament (Charges and Allegations) [336] [*First Night*]—R.P.

PROVISIONAL ORDER BILLS — *Report* — Public Health (Scotland) (Kirkliston, Dalmeny, and South Queensferry Water) * [327]; Elementary Education Confirmation (London) * [334]; Oyster and Mussel Fisheries (West Loch Tarbert) Confirmation * [323].

PRIVATE BUSINESS.

PRESTON CORPORATION BILL [*Lords*].

CONSIDERATION.

Bill, as amended, *considered.*

MR. COURTNEY (Cornwall, Bodmin) said, there was one point in reference to the Bill which he ought to explain, and to which he ought to call the attention of the House, although he did not think that it was necessary the House should take any action upon it. As the House was aware, there was a stringent Act governing the payment of costs of proceedings in reference to Private Bills, and the costs of opponents were only given against promoters of a Bill where the Committee were unanimous in holding resistance to the opposition vexatious. There were certain opponents to this Bill among the ratepayers of Preston, and they appeared before the Committee, and so far succeeded in impressing their views upon the Committee as to obtain a considerable reduction in the capital asked for by the Corporation in promotion of their plan. The Committee appeared to be of opinion that the Petitioners had so far succeeded as to be entitled to their costs. At the same time, he did not know that that opinion was unanimous, or that it was the opinion of Members that the opposition was frivolous and vexatious. The Committee intimated their opinion that the Petitioners were entitled to costs, and, after some consideration, the promoters of the Bill decided not to oppose the granting of costs. In consequence a clause was inserted, without dissent, granting costs which, if it had been done against unwilling promoters, would not have been satisfactory. But, inasmuch as, after consideration, the promoters did not dissent, but practically assented to the proposal, he thought the House would consider the Committee were right in the course they had taken, and that the Petitioners were entitled to their costs.

An Amendment made.

Bill to be read the third time.

PETITION.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—IMPRISONMENT OF MR. JOHN DILLON, M.P.

Moved, "That the Petition be read by the Clerk at the Table." — (*Mr. Dillwyn.*)

Motion *agreed to.*

Petition read.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask you, Mr. Speaker, will I be in Order in moving that the text of the Petition be embodied in the proceedings of the House?

MR. SPEAKER: That would not be a usual or a proper course to take. It may be printed by order of the Committee before whom it will go.

MR. SEXTON: Is any Motion necessary to insure that it will be printed?

MR. SPEAKER: I have no doubt it will be printed.

MR. MAURICE HEALY (Cork): As it will be in the discretion of the Committee to print it or not as they think fit, cannot we secure its being printed by a Motion in the House that it be printed?

MR. SPEAKER: Of course it would be competent, if the Report of the Committee is made and the Report is not printed, for the hon. and learned Gentleman to make a Motion to that effect; but, at present, I have no jurisdiction over the Committee, and a Committee must be left to exercise what discretion it may think proper.

QUESTIONS.

THE MAGISTRACY (IRELAND)—TULLAMORE.

DR. FOX (King's Co., Tullamore) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Government intend to deprive the people of Tullamore of the services of a town magistrate?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, the power of appointing a magistrate under the Towns Improvement Act rested solely with the Lord Chancellor of Ireland, and he understood it was not at present contemplated to appoint a town magistrate in Tullamore.

NATIONAL EDUCATION (IRELAND)—ROMAN CATHOLIC STUDENTS IN THE GOVERNMENT TRAINING COLLEGE.

MR. BIGGAR (Cavan, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If the Roman Catholic students in the Government Training College receive religious instruction from the teachers, without the guidance and control of any clergyman; and, if the vast majority of those students who have obtained situations as teachers in National schools are teaching in County Kerry?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Commissioners of National Education inform me that no Roman Catholic clergyman attends at the Marlborough Street Training College for the purpose of giving religious instruction to the students; but these students receive most careful religious instruction from the head teachers of the Central Model Schools, who are Roman Catholics, and also regularly attend religious instruction and religious ministrations in the Roman Catholic Church, in regard to which extensive arrangements exist. With respect to the concluding portion of the Question, the Commissioners state that about 30 per cent of the Roman Catholic students who left the Training College during the last five years are now employed in National schools in Kerry.

ARMY (INDIA)—RETIRING ALLOWANCES.

SIR ROPER LETHBRIDGE (Kensington, N.) (for Mr. KING) (Hull, Central) asked the Under Secretary of State for India, (1) Under what Retiring Rules, citing the number and dates of warrants, orders, or despatches now in force, officers of the Indian Army get retiring allowances; (2) are officers residing in India excluded from the benefit of existing Retiring Rules; (3) whether the despatch of the Secretary of State (No. 407, of December 8, 1881), which related explicitly by the words of the despatch to "retiring allowances," superseded all these existing Retiring Rules for officers of the Indian Army, and come into force in July, 1882; (4) whether, and if so on what grounds, the Retiring Rules laid down in the above-mentioned despatch are

limited by the practice of the Indian Government, by an alleged order or "principle," which was in force in 1854, and was applicable to a state of circumstances which does not now exist; (5) whether the despatch of the Secretary of State (No. 407 of December 8, 1881), in Clause 15, stated that every officer of 38 years' service will be entitled to "retiring allowances" of £1,124 17*s.* 6*d.* per annum; and, (6) whether the Secretary of State will continue to sanction the payment of such allowance to officers resident in India in a reduced currency, while paying officers residing out of India the full amount of such allowance in sterling?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): 1. The rates of pensions of officers of the Indian Army are contained in Royal Warrant, January 16, 1861; Secretary of State's despatches, No. 159, August 8, 1866; No. 252, August 4, 1881; No. 404, December 8, 1881. 2. No. 3. It came into force on July 1, 1881, and did not supersede existing Rules. 4. The Secretary of State does not admit that these Rules are limited by the practice of the Government of India. 5. The "colonel's allowance" is not, in the view of the Secretary of State, a retiring allowance. 6. The Secretary of State is not prepared to make any alteration in the Rules regarding the rates of colonels' allowances.

ALLOTMENTS EXTENSION ACT, 1882 — THE MENDLESHAM CHARITY ESTATES.

MR. F. S. STEVENSON (Suffolk, Eye) asked the hon. Member for the Penrith Division of Cumberland, Whether he is aware that the Trustees of the Mendlesham Charity Estates have advertised, among other properties to be let on lease for seven years, what is described as—

"A messuage farm, lands and outbuildings, situate in Mendlesham, containing 38 acres, 1 rood, 24 poles, now in the occupation of Mr. James Lambert's executors,"

and that tenders are to be sent to the Clerk of the Trustees not later than August 7; and, whether, in view of the fact that the said property is more suitable for the purpose of allotments than any other land in the parish, and that numerous labourers have made application for parts of it, the Charity Commissioners will take such steps as will prevent the Trustees from acting in contravention of the spirit of "The Allotments Extension Act, 1882?"

MR. J. W. LOWTHER (Cumberland, Penrith): The land referred to does not belong to the Church and Town Estate, but is the property of the Endowed School of Mendlesham, and is, therefore, not subject to the Allotments Extension Act, 1882.

PUBLIC MEETINGS (IRELAND)—THE ROYAL IRISH CONSTABULARY CODES, 1887-8.

MR. T. M. HEALY (Longford, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether in the Constabulary Code for 1887 there are any directions respecting public meetings similar to those contained in page 269 of the Code of 1888, as approved by the Lord Lieutenant—namely,

"Section 1112. Whenever any public meeting is announced . . . . it is the duty of the officer of Constabulary within whose district such meeting is to be held to be present thereat (or, if this is impracticable, to depute a head or other constable in plain clothes) for the purpose of taking notes of any inflammatory language that may be employed . . . This duty, however, is to be performed with discretion, and without anything approaching to parade or offensive intrusion on the part of the police. In cases where a shorthand writer is sent to take notes of a meeting, the promoters thereof should be asked to provide him with a place on the platform. If this be not accorded he must take the best position available;"

and, if so, did the Departmental inquiry, presided over by Colonel Turner, R.M., into the conduct of the police on the occasion of the three deaths at Mitchelstown, take any, and what, notice of the intrusion of the police into the meeting with their reporter without any prior communication with the promoters of the meeting, as the Code prescribes?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Constabulary Code is a Departmental publication, intended solely for the instruction and guidance of the Force. It is not issued to the public, and I must decline to discuss its contents.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, whether the right hon. Gentleman would have any objection to say, with regard to the latter part of the Question, whether the inquiry appointed into the

occurrences at Mitchelstown embraced the alleged non-compliance with the terms of the Code?

MR. A. J. BALFOUR said, that, speaking from memory, he rather thought the subject did not come within the terms of the inquiry.

THE PARKS (METROPOLIS)—BATTERSEA PARK—DISMISSAL OF EMPLOYES.

MR. O. V. MORGAN (Battersea) asked the First Commissioner of Works, Whether any, and what, decision has been arrived at as to the superannuation to be granted to the men who have for many years been employed at Battersea Park, and who have been dismissed by the Metropolitan Board of Works since that Body has taken over the control of the Park?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): The Act which transferred Battersea Park and other Parks from the Office of Works to the Metropolitan Board of Works preserved all rights of pension to men in our employment as if they had been retained in the Public Service, the Treasury to decide in each case the amount in question. This the Treasury has done, and has informed the Metropolitan Board accordingly. It remains for that Body to take all other necessary steps.

CONSULAR CHARGES IN ENGLAND—INVOICES FOR THE UNITED STATES.

MR. O. V. MORGAN (Battersea) asked the Under Secretary of State for Foreign Affairs, Whether he has yet received definite information from Washington as to the reason why shippers from the United Kingdom to the United States of North America are charged 2*s.* 6*d.* declaration fee on each invoice, while from Germany to the United States no such fee is charged; and, whether he is aware that in Liverpool alone the declaration fees amount to no less a sum than £2,500 per annum?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) Manchester, N.E.): Her Majesty's Government are still in communication with the Government of the United States on this subject. We have no information as to the amount of the fees at present levied under the system mentioned.

NAVY—ROYAL MARINE LIGHT INFANTRY—THE MEDICAL OFFICERS.

MR. FRASER-MACKINTOSH (Inverness-shire) asked the First Lord of the Admiralty, Whether there are any instructions regulating the duties and responsibilities of the medical officers of the Royal Marine Light Infantry; whether, during last winter, the surgeons at Eastney Barracks, Portsmouth, were aware that Comyn MacGregor, one of the probationary lieutenants under their charge, was suffering from a disease as a rule proving fatal unless timeously dealt with; whether the surgeons took any steps, directly, or indirectly, to inform Lieutenant MacGregor that it was obvious he was labouring under an insidious disease, and to warn him of his danger; whether Lieutenant MacGregor's health afterwards suddenly gave way, and, failing in consequence to pass his final examination, he has been dismissed from the Service; and, whether, if it is to be understood that it is no part of a surgeon's duty to speak until consulted, the time has come for laying down more humane Rules?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): There are full instructions for the guidance of the medical officers of the Royal Marine Light Infantry. The medical officers at Eastney Barracks deny any knowledge of Mr. MacGregor's suffering from the disease referred to, and it appears that he himself never took any steps to inform them. The medical officers would certainly not wait to be consulted if they had any reason to believe that any officer or man under their care was suffering from disease. This is enjoined by the Regulations. It is the case that Mr. MacGregor had to leave the Service from failure to pass his examination.

MR. FRASER-MACKINTOSH: Are those instructions to the medical officers open to the public?

LORD GEORGE HAMILTON: They are the instructions which are generally issued to medical officers of the Service, and I am not aware if they have ever been published. I am not aware that there would be any advantage in publishing them.

ARMY (INDIA)—BENGAL STAFF CORPS—CAPTAIN J. B. CHATTERTON.

MR. MACNEILL (Donegal, S.) asked the Under Secretary of State for India,

(1) Whether he will lay upon the Table of the House the despatch from the Government of India, dated February 21, 1881, in the case of Captain J. B. Chatterton, which has been printed by the authority of the India Office, and also the affidavit of Surgeon-Major Powell; (2) whether the order for the removal of Captain Chatterton was issued on March 11, 1869; and, (3) whether, between the dates of the Act for the Better Government of India, August 6, 1858, and the powers afforded by the Warrant of Parliament issued during the Session of 1872, the Secretary of State for India had power to remove Indian officers without trial and investigation?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): (1) No; it is not necessary to lay on the Table the whole correspondence with Captain Chatterton, and it would be inconvenient to lay an isolated document. (2) Yes. (3) The Secretary of State has always had power to advise Her Majesty to dispense with an officer's services on sufficient cause being shown.

POOR LAW—CASE OF MRS. SARAH BURGE—COSTS.

MR CUNNINGHAME GRAHAM (Lanark, N.W.) asked the President of the Local Government Board, If he knows how such a heavy bill of costs was sanctioned as occurred in the case of Mrs. Sarah Burge, now a pauper in the workhouse, Poplar; and, if these costs were defrayed by the ratepayers?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): I have made inquiry on this subject, and I find that there is not, nor has there been, any pauper in the Poplar Workhouse named Sarah Burge. The case intended to be referred to is, no doubt, that of Frank Burge, respecting whom the hon. Member put a Question to me on a previous occasion. As I then stated, this man brought an action against four of the Guardians of the Poplar Union for maliciously refusing to allow him to leave the workhouse. At the trial he was nonsuited by Mr. Justice Denman, who decided that there was no evidence to go to the jury, and this decision was upheld by the Court of Appeal. The costs of the Guardians were, of course, increased by the appeal, and altogether they amounted to £355 10*s.* 8*d.* The Guardians paid the costs out of the rates; and, as the Local Government Board considered that the individual Guardians against whom the action was brought ought not to have to defray these expenses out of their own pockets, they sanctioned the payment which had been made. The defendants would have been awarded costs by the Court had not Burge sued *in formâ pauperis*.

LAW AND JUSTICE (IRELAND) — EDWARD MAHONY AND OTHERS—RATHCORMACK, CO. CORK.

DR. TANNER (Cork Co., Mid) asked Mr. Solicitor General for Ireland, If it is a fact that Edward Mahony, John Manley, Denis Healy, and others, who were prosecuted before a Court held at Rathcormack, County Cork, on Tuesday the 24th instant, for alleged obstruction and resistance to the Sheriff and his assistants in the discharge of their duty, on presenting themselves before the Court, and having been at the expense of bringing counsel from Cork to Rathcormack to defend them, were informed by Mr. Eaton, R.M., the only Resident Magistrate present, that the case was adjourned for a fortnight; whether the reason the Court was not constituted was because Mr. Sub-Sheriff Gale was unable to attend; why District Inspector Jones, who was, according to his admission before Mr. Eaton, R.M., aware Mr. Gale could not attend, did not inform the defendants and prevent the unnecessary expense and trouble; whether it is a fact that Mr. Gale, when speaking to one of the defendants, Mr. Edward Mahony, on Monday night, also neglected to inform him; and, whether the expense entailed by the neglect of the Crown officials will be re-imbursed by the Crown, and the officials censured?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University: The statements in the first and second paragraphs of the Question are correct. The case referred to being a charge of obstructing the Sub-Sheriff was necessarily postponed in consequence of the absence of that official. He could not appear at Rathcormack because he was bound to be in attendance from day to day at the Cork Summer Assizes. The District Inspector who was prosecuting in the case had notice that the Sub-Sheriff could not attend. He made inquiries from the legal gen-

tlemen practising in Fermoy, with a view to informing them that he could not proceed with the case on the day fixed. He was not aware that the accused had employed a Cork solicitor and intended to appear by counsel. The Sub-Sheriff, Mr. Gale, is not a Government official. I cannot say what conversation he may have had with the accused persons. There is no foundation for the charge of neglect against the Crown officials conveyed in the last paragraph of the Question.

DR. TANNER asked, whether this District Inspector had not ample time to tell the people the night before that the Court could not be held, and in that way save them great expense; also, whether it was not the fact that the solicitor for the accused occupied a whole day in driving from Cork to the place where the Sessions were to be held?

MR. MADDEN said, he was not aware that the District Inspector had the opportunity spoken of, or that it was possible for him to communicate personally with the accused. He communicated with the practitioners at Fermoy, one of whom he presumed would be engaged for the accused.

DR. TANNER asked, if District Inspector Jones did not see several of the accused the night before the case was to be tried; and whether the Inspector's conduct did not amount, practically speaking, to a second fining of the people?

MR. MADDEN said, he did not gather that from the information supplied to him.

EDUCATION DEPARTMENT (SCOTLAND)—BURGH OF CULROSS.

MR. WALLACE (Edinburgh, E.) asked the Lord Advocate, Whether he is aware that the scheme of the Scottish Educational Endowments Commissioners for the management of the endowments in the burgh of Culross was advertised only in one newspaper, published at a distance, and in another county, and which does not circulate in Culross, and how often was it so advertised; and that, in consequence of this insufficient advertisement, the inhabitants of Culross lost their opportunity of lodging objections to the scheme with the Scotch Education Department; and, whether, in the circumstances, he can, and will, take any steps to have the scheme reconsidered by the Department in the light of such objections?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The scheme for Geddes Endowment, Culross, was advertised by the Commissioners. After it was laid before the Scottish Education Department, and before being approved, it was again advertised in four separate issues of *The Alloa Journal* and *The Dunfermline Journal*, these being the newspapers selected by the Endowment Commissioners. It is true that these journals are published in counties other than that in which the endowment is situate; but the geographical and detached position in which Culross stands makes this unavoidable. So far as my Lords are aware, there is no newspaper published in any place nearer than those selected. The advertisements by the Department were inserted on two separate occasions—first on the original scheme being sent, and again after modification of the scheme. Opportunity for lodging objections was not lost. The School Board of Culross did lodge objections against the scheme, and these were duly considered; and before their Lordships' approval was given the scheme was modified in order to meet them.

THE SLAVE TRADE—REVIVAL OF THE TRADE IN AFRICA.

MR. MAC NEILL (Donegal, S.) asked the Under Secretary of State for Foreign Affairs, Whether the attention of the Prime Minister, in his capacity of Secretary of State for Foreign Affairs, has been directed to the statements of Professor Drummond in his work on *Tropical Africa*, and of Mr. J. Scott Kilkie, in an article in *The Contemporary Review* for July, entitled *British Interests in Africa*, that since the withdrawal of H.M.S. *Condor* from the harbour of Zanzibar the Slave Trade in Africa "has been resumed with redoubled energy," and "has become more rampant that ever;" and, do Her Majesty's Government, having regard to the circumstances that led to the withdrawal of the Slave Circular in 1874, intend to take any steps for the abatement of this evil?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The writers in question consider that the Arabs of the interior believed that the withdrawal of the *Lon-*

don in January, 1884, implied a diminution of interest in the suppression of the Slave Trade on the part of Great Britain. As a matter of fact, the withdrawal of this particular vessel was part of a scheme for more effectual suppression; and if the Arabs had an impression to the contrary they must long since have been undeceived. If the hon. Member will look at the recent Blue Book he will find ample proof of the continued vigilance and activity of Her Majesty's cruisers.

IRISH LAND COMMISSION—FAIR RENTS —APPLICATION OF JAMES KEELY, CO. KILDARE.

MR. CAREW (Kildare, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can state if an eviction notice under the 7th section of "The Land Law (Ireland) Act, 1887," was on May 29 last served on James Keely, a tenant on the Castletown (County Kildare) Estate of the representatives of the late Thomas Connolly, esquire; whether he is aware that Mr. Keely's old rent is £97 15*s.* 4*d.*, though his valuation is only £89 10*s.*, but that he was unable to apply to have a fair rent fixed during the term of his lease, which only expired in April, 1887; whether Mr. Keely, in June, 1887, served an originating notice to have a fair rent fixed; whether the application was listed for hearing before the Sub-Commission which was to have sat in Naas during the present month; whether the sitting of this Commission has been postponed to December or January next, when Mr. Keely's right of redemption shall have expired, notwithstanding that the decision to be then given would affect the rent running from May, 1887; and, whether he will cause the application to be heard at once, in order to save the tenant from the confiscation by his landlord of his improvements?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am informed that the reply to the inquiries in the first, third, and fourth paragraphs is in the affirmative. The valuation of the farm is £89 10*s.*, and of the house and offices £5. The yearly rent is £97 15*s.* 8*d.* The Land Commissioners state that the case as listed for hearing at the recent Sub-Commission was not reached; but that if it be the fact that Keely was served with an eviction notice on May 29 last, as stated in the Question (of which, however, they were not aware), his case, even if reached, could not have been heard with the result of having a fair rent fixed unless he had redeemed his holding, but must have stood adjourned pending redemption. The tenant could, without doubt, have obtained a stay of ejectment proceedings upon proper terms had he applied to the Court. (Section 13, Sub-section 3, 1881.)

IRISH LAND COMMISSION—SITTINGS IN LIMERICK—COSTS OF APPEAL.

MR. W. ABRAHAM (Limerick, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that at the sitting of the Land Commission in Limerick in January last, on the appeal of Daniel O'Connell, junior, a tenant on the estate of the Trustees of Archdeacon Gould, the judicial rent of £10 fixed by the Sub-Commission was reduced to £8 10*s.* 0*d.*, and notwithstanding that the tenant was successful in his appeal, and that he and his valuator had to travel a distance of 45 miles to Limerick, where they had to remain two nights, and to employ a lawyer there, the Land Commission refused to give the tenant any costs; whether he is aware that it is the usual practice to award to the successful party the costs and expenses of his appeal, and why this Rule has been departed from in favour of a landlord as against a tenant in Ireland; and, whether, considering that this practice is calculated to deter tenants from seeking justice by way of appeal, he will suggest to the Land Commission the adoption of the practice usually followed in other Courts?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me that their practice as to costs has been the same from the commencement, and is thoroughly well known to every practitioner in their Court. Where either the landlord or the tenant appeals, and the judicial rent is affirmed, the unsuccessful appellant pays the costs of the opposite party. Where the judicial rent is varied on appeal, whether it be raised or lowered, no costs are, as a rule, given to either party. Exceptional cases may, of course, occur, which are determined according to their circumstances; but there was nothing exceptional in the

case referred to. In a tribunal whose duties are such as those of the Land Commission it would, in the opinion of the Commissioners, be unjust that a tenant whose rent is slightly raised on appeal should pay the appellant's costs, and likewise as regards the case of the landlord.

MR. W. ABRAHAM asked, if the other tenants on the estate had declined to go into the Land Court in consequence of the treatment given to this tenant?

MR. A. J. BALFOUR said, he was not aware of that.

PIERS AND HARBOURS (IRELAND)—BALLYCOTTON PIER.

MR. FLYNN (Cork, N.) asked the Secretary to the Treasury, in view of the conflict of opinion between the Cork County Grand Jury and the Commissioners of Public Works in Ireland, in respect to the alleged serious defects in the Ballycotton Pier, and the refusal of the Grand Jury to take over and maintain the pier, Whether he will take steps to insure that a competent engineer, independent of either of these Bodies, shall be sent to examine into and report on the condition of the work?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): The hon. Member for Mid Cork (Dr. Tanner) asked me a Question on this subject last week, and at my request postponed the Question until next Thursday. I have asked for a special Report, and on Thursday I hope to be in a position to give a complete answer.

Subsequently,

DR. TANNER (Cork Co., Mid) asked, whether it was the fact that on Saturday last, General Sankey, Mr. Martin, and Mr. Keating visited Ballycotton Pier, and in what capacity Mr. Martin was employed?

MR. JACKSON said, the hon. Gentleman was good enough, in answer to his request, to postpone a Question on this subject until Thursday. On that day he hoped to be in possession of all the facts.

DISTRICT LUNATIC ASYLUMS (IRELAND) — CIRCULAR OF SIR WEST RIDGWAY.

MR. O'KEEFFE (Limerick City) asked the Chief Secretary to the Lord Lieutenant of Ireland, referring to the Circular issued by Sir West Ridgway, dated May 16 ultimo, to the Grand Juries and Corporations of Ireland, with view as stated—

> "To bring about a more direct connection than exists at present between the Local Authorities which strike the rates and the Governing Boards of the district lunatic asylums in support of which they are struck;"

whether replies have been received from the Public Bodies to whom this letter was addressed; and, how soon will the Government carry into effect their expressed intention of altering the constitution of the Boards of District Lunatic Asylums in Ireland?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Replies have been received up to the present time from a minority only of the Public Bodies addressed. The Irish Government are anxious to have, as far as possible, the views of all the Bodies addressed; and they are, therefore, at present not in a position to make a definite statement on the matter.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): Is the right hon. Gentleman aware that, owing to the delay of the Government in this matter, a legal difficulty has arisen, and the rates for the Richmond Lunatic Asylum cannot be levied this year?

MR. A. J. BALFOUR: I am not aware of the legal difficulty to which the hon. Gentleman refers; but I am bound to say, as the hon. Gentleman speaks of delay on the part of the Government, that the responsibility for the delay rests with the Corporation of Dublin, who have declined to make a reply.

MR. SEXTON: The Government having declined to take any action for several months, how can the right hon. Gentleman contend that the blame rests with the Dublin Corporation?

MR. A. J. BALFOUR: I cannot accept the hon. Gentleman's statement of the facts. My point is that the Government, having made application for information to Local Bodies, one of the Bodies which did not answer was the Corporation of Dublin. The hon. Gentleman has no right to blame the Government for the delay. The responsibility for the delay rests with the Corporation of Dublin.

EVICTIONS (IRELAND)—EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE.

MR. JORDAN (Clare, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, at the eviction of Michael Connell, on the Vandeleur Estate, on Friday, the 20th instant, Colonel Turner placed two soldiers in a meadow, opposite a small gable window, with loaded guns, commanding them—"If any more gruel is thrown out of that window, fire; these orders are distinct enough;" whether, at the eviction of Widow Margaret Madigan, of Ladmore, on Tuesday, the 24th instant, in reply to the question—"If they do not come down shall we fire?" by Mr. Hill or Mr. Dunning, Colonel Turner is reported to have said, "Certainly;" whether the offences warranted such action on the part of Colonel Turner; and, whether the Government will inquire into the matter, and prevent such orders in future?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Divisional Magistrate reports that the sole ground for the allegation contained in the first paragraph is the fact that he placed two soldiers with unloaded rifles opposite the window from which hot gruel had been thrown, with directions that, if repeated, the soldiers were to point their rifles at the window. This had the desired effect. The matter referred to in the second paragraph was with a view to frighten some men into giving in who were offering a desperate resistance in a loft. As a matter of fact, the District Inspector's men referred to were without rifles, being armed with bâtons.

MR. JORDAN: Does the right hon. Gentleman mean to say that the order was not given to the soldiers to point their rifles at the windows and to fire if necessary; for he himself distinctly heard Colonel Turner say it?

MR. A. J. BALFOUR: I apprehend that the point of the answer is that the rifles were not loaded.

MR. JORDAN: I wish to ask the Solicitor General for Ireland under what Code, civil or military, these orders of Colonel Turner were given?

MR. A. J. BALFOUR: There is no law regarding the pointing of unloaded rifles.

EVICTIONS (IRELAND)—EVICTIONS ON THE VANDELEUR ESTATE AT CARNACULLA—ALLEGED VIOLENCE.

MR. JORDAN (Clare, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that, in gaining possession of Cleary's house, and Pat Spellassy's and James Madigan's, of Carnaculla, on the 19th instant, the Sheriff, Mr. Croker, and his Emergency bailiff's tore down their furniture, threw it into the yard, and broke it into pieces; whether he has been informed that the Sheriff was remonstrated with at Spellassy's, without effect; whether he will state the statute or authority warranting such destruction of tenants' scant chattels; and, whether, if further evictions occur, he will take steps to prevent a recurrence of such action by bailiffs?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Divisional Magistrate reports that the allegation apparently contained in this Question, to the effect that the furniture of the tenants was wantonly or unnecessarily broken, is absolutely without foundation. He further adds that the houses had been all but emptied by the tenants, and fully prepared for resistance, little being left in them beyond a few heavy fixtures.

MR. JORDAN: As the right hon. Gentleman believes the officials and does not believe me, a Member of this House, may I ask him whether he will hold an inquiry on the spot into the matter?

MR. A. J. BALFOUR: I have no desire to draw a comparison between the veracity of the hon. Gentleman and the officials. I may say that I believe the officials.

MR. JORDAN: I think the right hon. Gentleman has given a most ungentlemanly reply. Will he, then, grant an inquiry? I think, Mr. Speaker, it is most undignified for a Member of Her Majesty's Government—

MR. SPEAKER: Order, order!

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I rise upon a question of Order, Sir. I wish to ask, whether the Chief Secretary to the Lord Lieutenant is entitled to say in this House that on a comparison of veracity between my hon. Friend who sits below me and officials in Ireland, he believes the officials in Ireland and flouts the testimony of my hon. Friend?

MR. SPEAKER: I think that the hon. Member misunderstood the observation of the right hon. Gentleman. The hon. Gentleman has appealed to me as to what the right hon. Gentleman said; and I heard the right hon. Gentleman say that he had no desire to pit the veracity of the hon. Member against the veracity of the officials.

MR. SEXTON: But he said he believed the officials.

MR. JORDAN rose to put a further Question on the subject.

MR. SPEAKER: Order, order! I call upon the hon. Member to put the next Question. [*Cries of* "Don't; don't ask it!"]

MR. JORDAN did not put the next two Questions which stood in his name on the Paper.

EVICTIONS (IRELAND) — EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE—MR. T. W. RUSSELL, M.P.

MR. SHEEHY (Galway, S.) aked the Chief Secretary to the Lord Lieutenant of Ireland, For what special services was the hon. Member for South Tyrone (Mr. T. W. Russell) entitled to obtain a seat on a police car to and from the evictions on the Vandeleur property, and granted the almost exclusive privilege of interviewing the evicted tenants and the members of their families, whilst the representatives of the Irish Press were only allowed inside the outer ring, and then under police charge?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Divisional Magistrate reports that the hon. Member for South Tyrone, or anyone else known to them, was given a seat upon the cars from time to time when available. The allegation that the hon. Member had any exclusive privilege of interviewing evicted tenants the Divisional Magistrate declares to be unfounded—all who were allowed inside having the same privilege. All members of the Press who made application were allowed inside. They were not under police supervision at all.

THE LORD MAYOR OF DUBLIN (MR. SEXTON) (Belfast, W.): If the hon. Member for South Tyrone is allowed to attend evictions with the police in the capacity of a political agent, so that he may write letters to the papers afterwards, will the Irish Government allow any other person to attend and check the statements of the hon. Gentleman?

MR. A. J. BALFOUR: I deny altogether the allegation that the hon. Gentleman attended as a political agent.

MR. FLYNN (Cork, N.): Is the right hon. Gentleman aware that the representatives of *The Cork Herald* and *The Cork Examiner* were refused within the lines on the occasion referred to?

MR. A. J. BALFOUR: I am not aware of that; on the contrary, I gather from the Reports I received that all members of the Press who made application were allowed inside.

MR. FLYNN: If I assure you that that is not the case, will you make further inquiries?

MR. A. J. BALFOUR: I shall be glad to make inquiries if the hon. Gentleman will put a Question on the Paper.

PRISONS (IRELAND)—TULLAMORE GAOL—DR. BARR.

MR. MAURICE HEALY (Cork) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, on the occasion of his recent visit to Mr. Dillon in Dundalk Gaol, Dr. Barr refused to give his name when asked to do so; whether he acted similarly when he visited and medically examined Mr. William O'Brien in Tullamore Gaol; and, for what reason he thus concealed his identity?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The General Prisons Board inform me that Dr. Barr reports that on his visit to the Irish prisons he gave his name to everyone who had any right to know it, and it appeared in the books of all the hotels at which he stayed. The ground on which he refused to give his name in the instances referred to was, he states, that it is not customary for anyone inspecting prisons to give his name to prisoners; and he failed to see that any one prisoner had more right in that respect than other.

MR. MAURICE HEALY: The right hon. Gentleman has not referred to the second case. Does his answer apply to both?

MR. A. J. BALFOUR: I do not know about that; but I should think it does.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked whether, in view of the fact that the Coroner's Jury who had inquired into the death of Mr. Mandeville—a jury composed of persons of various political opinions—had unanimously found that Dr. Barr, in his sworn testimony, had cast foul aspersions on the other doctors engaged in the case, he would consider the propriety of the future employment of Dr. Barr by the Government?

MR. A. J. BALFOUR: I believe Dr. Barr is a most admirable doctor and a most excellent prison official—[An hon. MEMBER: For you.]—and nothing that occurred at the inquest has in the least shaken my belief.

DR. FOX (King's Co., Tullamore): Was Dr. Barr selected by the Government to visit political prisoners in Ireland on account of his supposed skill in dealing with malingerers in Kirkdale Prison?

MR. A. J. BALFOUR: Dr. Barr was not selected by myself, but by the English Prison Authorities, on my request to them to send one of their most competent officials.

MR. MAURICE HEALY: I wish to ask the right hon. Gentleman, having regard to the fact that this gentleman visited Mr. O'Brien and Mr. Dillon in quite an exceptional capacity, how could they be expected to submit to a medical examination when they had no knowledge that he was a doctor at all?

MR. A. J. BALFOUR: I cannot answer that Question, beyond saying that Dr. Barr did not recognize the right of the prisoner to ask his name.

MR. MAURICE HEALY: That is not the point of my Question. What I wish to draw the attention of the right hon. Gentleman to is that this visit was quite of an exceptional character; and I ask him how any prisoner could be expected to submit himself to an examination by a man he did not know was a doctor at all?

MR. A. J. BALFOUR: I am not quite sure that I have caught the drift of the hon. Gentleman's Question; but I may remind the hon. Gentleman that it is not customary, either in England or in Ireland, to give testimonials to a prisoner as to the merits of the doctor who is to examine him.

MR. SEXTON: Are the House and the country to understand that the Government will do nothing to test the solemn finding of the Coroner's Jury, upon their oath, with regard to the veracity of Dr. Barr on his oath? And if they will not do anything in that direction, I wish to ask from what Vote in the Estimates the money will come with which Dr. Barr is to be paid?

MR. A. J. BALFOUR: I should be extremely glad if there could be an inquiry by which the whole truth of this matter should be investigated to the fullest extent, and brought in the most prominent manner before the English people. So far as I am concerned, no effort will be wanting to make the truth known.

THE INQUEST AT MITCHELSTOWN ON MR. MANDEVILLE—EVIDENCE OF DR. BARR.

MR. HAYDEN (Leitrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has read the Report of Dr. Barr's evidence at the inquest on Mr. Mandeville; and, whether, after the statements made by that gentleman, he will consider the propriety of refraining for the future from sending Dr. Barr to visit Irish political prisoners?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have answered very fully a similar Question on this subject.

MR. HAYDEN: The second paragraph.

MR. A. J. BALFOUR: I have already stated substantially that I see no reason to adopt the course suggested by the hon. Member with regard to prisoners whom he is pleased to describe as political.

MR. CHANCE (Kilkenny, S.): Will the right hon. Gentleman say upon what Estimates the charges paid to Dr. Barr will appear?

MR. A. J. BALFOUR: I am afraid I cannot answer that Question, because I do not know.

DR. KENNY (Cork, S.): Will the right hon. Gentleman tell the House why an English doctor was selected to visit the Irish prisons? Were there not men of sufficient eminence and experience in Dublin for this work?

MR. A. J. BALFOUR: Because I am perfectly aware that any Irishman who had to perform a duty of that sort would be liable to be subjected to the severest intimidation.

DR. KENNY: Will the right hon. Gentleman say——

MR. SPEAKER: Order, order!

PUBLIC MEETINGS (IRELAND)—ORANGE DEMONSTRATION, CO. DOWN—MR. BROWNLOW, J.P.

MR. CLANCY (Dublin Co., N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that Mr. Brownlow, land agent to the Lord Lieutenant, who presided at the Orange demonstration on His Excellency's demesne at Mountstewart, County Down, on the 12th instant, is a Justice of the Peace for the County of Down, and if he will state the date of his appointment to the Commission of the Peace; whether his attention has been directed to the speech of Mr. Brownlow on that occasion, as reported in *The Newtownards Chronicle* of the 14th instant, where Mr. Brownlow, referring to Home Rule, threatened that—

"Whoever may submit, the Orangemen of Ulster will stand together, and as our ancestors did of old we will if necessary do now;"

whether, as reported in that paper, he also, in introducing to the meeting Mr. Adolphus Vane-Tempest, a cousin of His Excellency the Lord Lieutenant, made use of the following words—

"They (the Orangemen) had His Excellency's best wishes. He could not be here himself; but he had done the next best thing and sent his cousin;"

whether this is the same Mr. Brownlow who was reported in *The Belfast Evening Telegraph* of April 12, 1887, to have said, at the laying of the foundation stone of an Orange Hall at Barnamaghery, County Down—

"That the time was rapidly approaching when the Irish Question would be transferred from the House of Commons to arbitrament in the field,"

and that the Orangemen should have their forces properly constituted; whether he will call the attention of the Lord Chancellor to the words spoken by this magistrate at these public meetings; and, whether any Government reporter was present at either of these meetings?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Secretary to the Lord Chancellor of Ireland informs me that the gentleman named was appointed to the magistracy of the County Down in July, 1887. He states that he has not seen the newspaper reports referred to; but that from the extracts given in the Question the speeches, if made, would appear to have been platform utterances, some of them more than a year old; that the effect of such speeches depends greatly on the surrounding circumstances, and that the case in question does not call for further notice. So far as I am aware, the reply to the last paragraph of the Question is in the negative.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): Does the right hon. Gentleman mean to say that the Government sanctions the appointment to the Commission of the Peace of a gentleman, an agent to the Lord Lieutenant of Ireland, two months after he made a speech inciting to civil war?

MR. A. J. BALFOUR: I have given the reply of the Secretary to the Lord Chancellor, and I cannot go any further.

ARMS LICENCES (IRELAND) — CONVICTION OF JAMES LEE AT ABBEYFEALE PETTY SESSIONS.

MR. W. ABRAHAM (Limerick, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, on the 18th instant, at Abbeyfeale Petty Sessions, an emergency man, named Lee, was convicted of having been drunk while in possession of loaded fire-arms, and with having presented a loaded revolver at two young men named Walsh and O'Connell; if the presiding magistrate, Captain Massy, remarked that—

"Those men employed by the Property Defence Association got licences for fire-arms on the recommendation of their employers, and abused those licences, and that he now saw the bad result of giving licences to men like those before him, and he did not know whether the Government would revoke them;"

and, whether he will carry out the recommendation of Captain Massy?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have already replied to the inquiry in the first paragraph in the affirmative. The presiding magistrate states that he did not represent Lee as employed by the Property Defence Association; nor, as a matter of fact, was he. He did say that the man had abused the trust reposed in him in the granting of the licence, and also expressed an opinion

that it might be revoked. The licence is being revoked.

ROYAL IRISH CONSTABULARY—ALLEGED ASSAULTS (FERMOY).

DR. TANNER (Cork Co., Mid) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Mr. Thomas Barry, of Killavullen, was arrested at Clondulane on last Tuesday for remonstrating with a policeman who had assaulted him, and whether, at the same time and place, a little girl was knocked down with the butt end of a rifle; whether a man named Corcoran was assaulted by Constable Bower and also by Sergeant Kelly, and subsequently arrested for telling another man "not to be afraid, they can't arrest you;" whether William Lane was also arrested, knocked down, and beaten; whether Mr. John Condon, after being arrested, received several serious wounds from a policeman named Black; and, whether, in consequence of the alleged repeated assaults by the police in the town of Fermoy, steps will be taken to prevent their recurrence?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Inspector General of Constabulary reports that the police deny having assaulted any of the persons named, or having knocked down a little girl or anyone else with a butt of a rifle. The arrests were made in consequence of the interference by these persons with the police when engaged protecting bailiffs who had made seizures for the county cess. Summonses have been issued, at the suit of the police, against each of the persons referred to.

DR. TANNER: I wish to ask the right hon. Gentleman, whether Mr. John Condon, when arrested, was seriously injured inside the gaol, his head being knocked against the wall, in consequence of which he got three or four wounds, and is now under the care of medical men?

MR. A. J. BALFOUR: I gather from the statements of the police that they deny having injured anyone.

DR. TANNER: Will the right hon. Gentleman, in the interest of the peace of the town, prevent these organized attempts at intimidation and murder by the police?

[No reply.]

EDUCATION DEPARTMENT (SCOTLAND)—APPOINTMENT OF SCHOOL INSPECTORS.

DR. CLARK (Caithness) asked the Lord Advocate, Whether it is the case that when vacancies occurred in the Edinburgh and Glasgow centres the Senior Inspector was appointed; and, whether, on a vacancy having occurred in the Aberdeen District, Mr. Jolly, the senior on the list, and eight others have been passed over, and a gentleman who was tenth on the list, and a young man comparatively unknown, appointed?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I answer the first part in the affirmative. I have, on at least five occasions, answered the second Question, and must adhere to the answers already given.

DR. CLARK: I shall draw attention to the question on the Education Estimates.

INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE BARROW.

MR. W. A. MACDONALD (Queen's Co., Ossory) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the Athy Town Commissioners have passed a Resolution in which they express a general approval of the Bill for the drainage of the Barrow and an earnest desire that it may become law; and, whether he will take into consideration this expression of opinion from the locality to be benefited, and will give reasonable facilities for the discussion of the measure on its second reading?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): It is true that the Athy Commissioners have passed the Resolution described by the hon. Member. As the hon. Member is aware, it has been, and is, my earnest desire to proceed with the Bills—a desire only frustrated by the action of the hon. Gentleman's Friends.

MR. FLYNN (Cork, N.): Will the right hon. Gentleman place the Barrow Drainage Bill at a proper place on the Orders and bring it forward before midnight?

MR. A. J. BALFOUR said, the Bill had been brought forward before midnight. There was an interesting discussion on the first reading, and a dis-

cussion on the second reading, started before midnight. In his opinion, it would be far better to see in what shape the Bills came from the Select Committee than to delay them indefinitely, as was now being done.

EGYPT—PRESERVATION OF ANCIENT MONUMENTS.

MR. HOWORTH (Salford, S.) asked the Under Secretary of State for Foreign Affairs, Whether, in view of the continuous and deplorable destruction of the ancient monuments of Egypt by travellers and others, and of their incomparable value and interest, it would be possible to appoint some engineer officer to make a survey of these monuments and to have custody of them in future?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The question has not been lost sight of by Her Majesty's Government; but it rests, of course, with the Egyptian Government to take the necessary measures. They have been considering the subject for some time past, but have had great difficulties of different kinds to contend with. A Special Committee has now been appointed to consider what further steps can be taken; and it has been decided to levy a small fee for seeing the antiquities, which will, to some extent, increase the sum which it is possible to devote to the preservation of ancient monuments. Sir Francis Grenfell, the Sirdar of the Egyptian Army, takes great interest in the subject, and is a Member of this Committee.

SLAVE TRADE IN THE RED SEA—SUAKIN.

MR. HOWORTH (Salford, S.) asked the Under Secretary of State for Foreign Affairs, If any punishment has been meted out to the owners and guarantors of slave dhows at Suakin, who have been shown to be engaged in running slaves; and, whether any steps have been taken to prevent the Government lessee of the salt mines at Korvajah from shipping slaves to Jeddah, as reported on page 229 of the Blue Book recently issued on the Red Sea Slave Trade?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): All owners or guarantors of vessels have been punished who have been convicted of acts of slave trading, or of participation in them. It will be seen, on reference to page 111 of the Blue Book, that the charge referred to in the second Question was very doubtful; but that every possible precaution was being taken against slave dealing.

METROPOLITAN POLICE—THE "FROG'S MARCH."

MR. CHANNING (Northampton, E.) asked the Secretary of State for the Home Department, Whether he will consent to a Return of all cases within the last 12 months in which Special Reports have been made by the Metropolitan Police, under the Police Order of January, 1885, that they have been compelled to resort to the practice known as the "frog's march" in removing refractory prisoners; said Return to specify the name of the prisoner, date, place, and time of arrest, and removal?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I see no public object that will be served by this Return. If any prisoner is treated with undue severity when arrested he can always complain to the magistrate, and the complaint is investigated and dealt with at the time.

MR. CHANNING said, he had received from the Home Office on Saturday particulars of one case to which he had drawn the attention of the right hon. Gentleman privately. Why was the Home Office able to supply privately information as to one case, and why was such a Return as that asked for, giving fewer particulars than were supplied to him on Saturday, not furnished to Members of that House?

MR. MATTHEWS replied, that out of courtesy he gave the hon. Member particulars of the case referred to for his own private information; but he did not see that the Return asked for would serve any public use whatever.

MR. CHANNING asked, whether the number of cases in the past year could be supplied?

MR. MATTHEWS said, he did not think he was able to give the hon. Member the numbers from memory; but there were extremely few cases. He would try to obtain the information asked for.

LLOYD'S (SIGNAL STATIONS) BILL—COLLECTION OF SHIPPING NEWS.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale) asked the Postmaster General, Whether he is aware that considerable apprehension exists that under the Lloyd's (Signal Stations) Bill, the Corporation of Lloyd's would acquire a monopoly of collecting shipping news around the coast of the United Kingdom, and of supplying the same to the public by such channels, at such prices, whether differential or otherwise, and on such points only as they may elect, free of all State control; and, whether he can take such action as will prevent the creation of such a monopoly.

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): This Question should, I think, have rather been addressed to my right hon. Friend the President of the Board of Trade. I may, however, say that I am not aware of the existence of any apprehension that Lloyd's will under their Bill acquire a monopoly; and I do not consider that there are grounds for any such apprehension. It is open to any person to establish a signal station.

NAVY (SHIPS)—H.M.S. "HERCULES" AND "SANDFLY."

SIR WILLIAM PLOWDEN (Wolverhampton, W.) asked the First Lord of the Admiralty, Whether his attention has been called to the report of *The Standard* correspondent in that journal of July 24, in regard to the sea qualities of H.M.S. *Sandfly*, to the effect that, on the passage from Portland to Berehaven in a light breeze and easy seas, while the *Hercules* moved with the least possible motion, the *Sandfly* pitched and rolled so violently that the pendulum intended to register the heeling of the vessel proved useless, as only registering 30 degrees, the *Sandfly*, it is reported, rolling nearly 45; that, besides such violent rolling—which caused injuries to the surgeon and others—this ship exhibited many other bad qualities; by whom was this ship designed; whether there is any difference in the draught of water of this ship as designed and as completed; and, are there any other ships of this class in the Navy by the same designer?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): No Report has been received from the Admiral in command of the Fleet to which the *Sandfly* is attached as to unsatisfactory behaviour during the passage to Berehaven, or with regard to her sister vessels, of which there are four attached to the Fleet now engaged in the Naval Manœuvres. Other newspaper correspondents have commented favourably on this type of vessel; and I think there is little doubt that the statements alluded to in the Question are inaccurate.

SIR WILLIAM PLOWDEN: Will the noble Lord have any objection to give us any information he receives on the subject?

LORD GEORGE HAMILTON: No doubt, there will be a Report on this and all vessels of a similar type engaged.

MR. HANBURY (Preston): Will the noble Lord give the name of the designer?

LORD GEORGE HAMILTON: I do not think it is fair to give the name of the designer, when the purpose of asking this Question is to associate him with the unconfirmed report of the behaviour of this ship.

BURIAL LAWS—BURIALS OF NONCONFORMIST PARISHIONERS.

MR. CHANNING (Northampton, E.) asked the Secretary of State for the Home Department, Whether his attention has been called to several recent cases of refusal by the clergy to permit the bell to be tolled when Nonconformist parishioners have been buried in the parish churchyard by Nonconformist ministers; whether he is aware that the 67th Canon provided that—

"When any one is passing out of this life a bell shall be tolled, . . . and, after the party's death, if it so fall out, there shall be rung no more than one short peal, and one other peal before the burial, and one other after the burial;"

whether any provision of "The Burial Laws Amendment Act, 1880," gives power to the clergy to take away the right of all parishioners by the Canons, to have the bell tolled at least once before and once after the Funeral Service; and, whether he will take steps to enforce this right of all parishioners in cases where it is refused by the clergy?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am aware of the provisions of the Canon referred to; but the hon. Member has

omitted words which make it doubtful whether the Canon is not confined to those parishioners who have been tended by a minister or curate of the Church. This is not a matter over which the Civil Courts of the country, or the Secretary of State, have any jurisdiction. If any parishioner feels aggrieved, he has his remedy by taking proceedings in the Ecclesiastical Court.

MR. OSBORNE MORGAN (Denbighshire, E.) asked the right hon. Gentleman, whether, considering the enormous expense and difficulty of trying such questions in the Ecclesiastical Courts, and the consequent impunity with which the law was often broken by clergymen, the Government would give facilities for passing the Burial Laws Amendment Bill, which stood for second reading on Wednesday next, and which would effectually put an end to such scandals?

MR. CHANNING asked, whether the right hon. Gentleman was aware that the opinion conveyed in the third paragraph of his Question was supported by a well-known manual in regard to the Burial Laws and other well-known authorities?

MR. MATTHEWS said, he thought he had answered the third paragraph of the Question. It was a matter for the Ecclesiastical Courts, and one with regard to which neither he nor the Civil Courts had any jurisdiction. He would apply for information, however, in order to enable him to satisfy the hon. Member. He was afraid the Government could not undertake to give any facilities for the discussion of a Private Bill in the present state of Public Business.

LAW AND JUSTICE (IRELAND)—NEWTOWNARDS PETTY SESSIONS—NON-ATTENDANCE OF MAGISTRATES.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a statement in *The North Down Herald* of July 13, that no magistrate attended to hold the Petty Sessions at Newtownards Courthouse on Thursday, July 12; whether he can state the cause of their non-attendance; and, whether he will direct the attention of the Lord Chancellor to the matter, in order that magistrates may be appointed who will attend to their duties in this district?

MR. JOHNSTON (Belfast, S.): Before the right hon. Gentleman replies, I should like to ask him if it is not the fact that the Grand Jury of County Down were assembled in the Courthouse at Downpatrick on the 12th of July, and that many of the leading magistrates were, therefore, unfortunately unable to attend the demonstration?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, he had received no Report on this subject; but if the allegation of his hon. Friend (Mr. Johnston) was true a full answer would be given to the Question of the hon. Gentleman opposite.

MR. M'CARTAN inquired, whether the right hon. Gentleman was aware that Mr. Brownlow, the agent to the Lord Lieutenant, was engaged in presiding over a meeting of Orangemen composed of the Lord Lieutenant's tenantry?

MR. A. J. BALFOUR said, he had no information on the point.

LANDLORD AND TENANT (IRELAND)—EJECTMENT AND CIVIL BILL DECREES.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can state the number of ejectment decrees for non-payment of rent, and also the number of Civil Bill decrees for the recovery of rent, which have been granted at the recent sitting of the County Court in each of the following towns in the County of Down—namely, Downpatrick, Newtownwards, Banbridge, and Newry; and, how many of these decrees include the old rents of holdings in respect of which the fair rents have not yet been fixed?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have received the following Return from the Clerk of the Crown and Peace in reply to this Question; and I find that in Downpatrick the ejectment decrees for judicial rent were 2, in Newtownards 17, in Banbridge 6, and in Newry 7. Of ejectment decrees other than for judicial rent—namely, on lease or from year to year—there were 1 in Downpatrick, 26 in Newtownards, 12 in Banbridge, and 20 in Newry. There were of civil bill decrees for judicial rent 1 in Downpatrick, 4 in Newtownards, 1 in Banbridge, and 6 in Newry; and of civil bill decrees otherwise than for judicial

rent—namely, on lease or from year to year—2 in Downpatrick, 26 in Newtownards, 4 in Banbridge, and 16 in Newry.

CORONERS BILL—PUBLICITY OF INQUESTS.

SIR ALGERNON BORTHWICK (Kensington, S.) asked Mr. Attorney General, Whether Her Majesty's Government will be prepared, when the Coroners Bill comes before the House, to insert a clause providing that inquests shall be held in public, subject to the ordinary power exercised by the Judges of excluding the public and the Press when the evidence to be given is unfit for publication?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I am afraid it is not possible to answer the Question of the hon. Baronet directly. The question whether any alteration should be made in the law relating to the admission of the public to Coroners' Courts is one which requires to be considered together with other provisions relating to those Courts; and I am not able to say more at present than that Her Majesty's Government will give most careful consideration to the question raised by the hon. Baronet.

DEFEAT OF THE SPANISH ARMADA—TERCENTENARY CELEBRATION—A DAY OF THANKSGIVING.

MR. JOHNSTON (Belfast, S.) asked the First Lord of the Treasury, If the Government will advise Her Majesty to be graciously pleased to appoint a Day of Thanksgiving to Almighty God for the providential deliverances vouchsafed to the nation in 1588 by the defeat of the Spanish Armada, and in 1688 by the events which led to the establishment of Her Majesty's dynasty on the Throne of these Realms?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I thoroughly respect the motives which have induced by hon. Friend to put this Question to me; but there are many memorable events connected with the past history of this country which afford grounds for thanksgiving by the people. It is impossible for the Government to recommend that a day of thanksgiving should be appointed with regard to each of them; and therefore I am unable to accede to the request of the hon. Member.

MR. JOHNSTON, in consequence of that answer, asked the right hon. Gentleman whether he would advise Her Majesty to appoint a day of fasting and humiliation for the national ingratitude?

[No reply.]

PUBLIC BUSINESS—THE ADJOURNMENT—THE TITHE RENT-CHARGE BILLS.

MR. DILLWYN (Swansea, Town) asked the First Lord of the Treasury, Whether, in view of the great amount of Business remaining to be transacted before the proposed adjournment of the House next month, and considering the discussion to which the Tithe Rent-Charge Bills are certain to give rise, he will defer their further consideration till the November Session?

SIR JOHN SWINBURNE (Staffordshire, Lichfield) asked, Whether it is still the intention of the Government to take either of the Tithe Rent-Charge Bills during the present Sittings; and, if so, whether in consideration of the considerable amount of opposition to the Bills, he will arrange to give ample Notice of the day on which they will be taken?

MR. STANLEY LEIGHTON (Shropshire, Oswestry) asked, Whether, in view of the dissatisfaction which prevails in some parts of the United Kingdom with the law relating to the payment and recovery of tithe rent-charge, and of the fact that two Bills have been introduced by the Government for the purpose of abolishing the method of recovering tithe rent-charge by distress on the tenants' property, and of relieving them from the direct payment of the charge, he will take steps to insure the passing of both Bills before the adjournment of the House?

MR. COBB (Warwick, S.E., Rugby) asked, Whether the right hon. Gentleman is aware that a feeling prevails among a considerable number of Members on the Opposition side of the House that the Business which he named on Thursday last as necessary to be completed before the adjournment cannot be got through, without unduly preventing reasonable discussion, before the end of August at the earliest; whether he

will reconsider the subject, and, for the convenience of Members, make at an early date a further statement as to the conduct of Public Business, and indicate more definitely the date of the adjournment; and, whether, having regard to the health and necessary recreation of Members, he will undertake that a period of not less than three months shall intervene between the adjournment and the Autumn Sitting?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, he was unable to make any addition to the statement he made on Thursday last. He could only say that the Government felt it to be their duty to ask the House to consider the Tithes Bill before the adjournment, because they were responsible for the peace and good order of the country, and they could not discharge their duty efficiently in that respect without asking that adequate consideration should be given to those Bills. The Government would make the necessary arrangements for the period of adjournment, so that Members might enjoy that amount of recreation which was essential to them after their labours; but some regard must be had to public necessity and public interest.

SIR JOHN SWINBURNE inquired, whether the right hon. Gentleman would give ample Notice as to when the Tithe Bills would be taken?

MR. W. H. SMITH: The hon. Member has been informed that the Bills will be taken, and that is all the Notice I can give him.

PUBLIC BUSINESS—THE ADJOURNMENT—THE EMPLOYERS' LIABILITY FOR INJURIES TO WORKMEN BILL.

MR. BROADHURST (Nottingham, W.) asked the First Lord of the Treasury, Whether, in view of protracted discussion likely to take place upon measures which he has placed before the Employers' Liability Bill, he will consider the advisability of deferring the Report stage of the latter Bill till the autumn part of the Session?

MR. J. E. ELLIS (Nottingham, Rushcliffe) said, he was desired by the hon. Member for Morpeth (Mr. Burt) and other Members to say that it would be convenient that the Bill should be postponed.

MR. AINSLIE (Lancashire, N., Lonsdale) urged that the Bill should be taken before the adjournment.

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) said, that he desired to consult the convenience of all hon. Members who took an interest in the question, which was a very important one, and a great responsibility would be incurred by those who caused its postponement. But he would consider the matter, and announce the intention of the Government on another day.

BUSINESS OF THE HOUSE—COMMITTEES OF THE HOUSE—WORK OF MEMBERS.

MR. BRADLAUGH (Northampton) asked the First Lord of the Treasury Whether his attention had been called to the fact that 37 Committees of this House, including Grand Committees, Hybrid Committees, and Joint Committees of both Houses, have been appointed this Session, upon which 591 Members have been required to sit, exclusive of Members added to Grand Committees for particular Bills; that, in addition, 120 Members have been required as added Members to the Grand Committees; and that 71 Members have also been required on opposed Private Bills Committees; whether this number of Members is, in all, in excess of any number ever required for Committees in any previous Session of Parment; and, whether, as Leader of the House, he will, during the Recess, consider whether it is possible to diminish the enormous strain on private Members caused by this heavy Committee work?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, the hon. Member gave the House a great deal of interesting information as to the labours of hon. Members, which, he believed, was perfectly accurate. The total of Members who had that Session served on Committees was given at 782; but that total had several times been exceeded, and in 1882-3 it reached so high as 909. He should be very glad, consistently with the discharge of the Business of the House, to do anything to spare hon. Members; but it must be remembered that the House generally approved of the system of delegation to Committees, as tending to the quicker

and, what was far more important, the more efficient discharge of the duties of the House.

LOCAL GOVERNMENT BILL (SCOTLAND)—FISHERMEN'S DWELLINGS.

MR. ESSLEMONT (Aberdeen, E.) asked the First Lord of the Treasury, Whether Her Majesty's Government intend to deal with the tenure of fishermen's dwellings in the Local Government Bill for Scotland next Session; and, whether the Committee on Small Holdings recently appointed will take evidence on the subject?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, he thought the hon. Member must be aware that it would be quite impossible to state the provisions of a Bill which might be introduced in the next Session. So far as the latter portion of the Question was concerned, it was for hon. Members themselves, who were interested in the tenure of fishermen's dwellings, to tender evidence on the subject to the Committee on Small Holdings, which was a Government Committee in the proper sense of the word.

MR. ESSLEMONT said, the right hon. Gentleman had not answered the latter part of the Question.

MR. W. H. SMITH said, he took no responsibility upon himself with reference to the Committee; but he should imagine the matter would be within their Reference. It depended upon the Committee whether they should meet during the present Session.

DR. CLARK (Caithness) asked, whether the right hon. Gentleman was aware that, though this Committee was to examine into small holdings in Scotland, there was no Member for a Scotch county on the Committee?

MR. W. H. SMITH said, the House had appointed the Committee, and the hon. Gentleman should have raised the question before; but there were several Scotch Members upon the Committee.

LIGHTHOUSES AND LIGHTSHIPS — TELEGRAPHIC COMMUNICATION ROUND THE COASTS.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale) asked the First Lord of the Treasury, Whether, with a view to the better prevention of loss of life and property in cases of shipwreck, for the general advantage of the shipping and fishing industries, and for the more effectual defence of these realms in time of war, Her Majesty's Government will, during the Recess, take into consideration the provision of a complete system of telegraphic communication between the postal telegraphs and all coastguard, lighthouse, life-boat, and life-saving stations situated on the coasts of the United Kingdom?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): With reference to the better prevention of loss of life and property at sea, I can only remind my hon. Friend of the answer he received on the 16th of April last from my right hon. Friend the President of the Board of Trade. In that answer it was stated that certain experiments must be continued for another 18 months; and, as that period has still many months to run, I am unable to give any further information on the subject. So far as regards the safety of this country, my hon. Friend may rest assured that any measures which, in the judgment of the Government, are necessary for security will not be neglected by Her Majesty's Government.

THE INQUEST AT MITCHELSTOWN ON MR. MANDEVILLE—DR. BARR.

MR. ANDERSON (Elgin and Nairn) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, after the verdict of the jury on the late Mr. Mandeville, that his death was brought about by brutal and unjustifiable treatment, the Government intended to suspend the official or officials responsible for that treatment; whether, after the protest of the jury against treating political prisoners as common criminals, the Government would discontinue that practice; and, whether, after the condemnation by the jury of the aspersions sought to be cast upon the medical witnesses by Dr. Barr, the Government would suspend him from his duties as Prisons Inspector?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): In my opinion, the verdict of the jury is entirely unwarranted by the facts of the case, and I do not intend to take any action founded upon it.

MR. CHANCE (Kilkenny, S.): I would ask the right hon. Gentleman, whether the Government intend to take any steps to set aside the verdict which he considers so wholly unjustifiable?

MR. A. J. BALFOUR: I must ask the hon. Gentleman to give Notice of that Question.

Subsequently,

MR. CLANCY (Dublin Co., N.): I wish to ask the Chief Secretary, whether Dr. James Barr, who has been visiting Irish prisons and Irish gaols is the same person as the Irish Orangeman of that name who has been for years a prominent Tory partizan in Liverpool?

MR. A. J. BALFOUR: I do not know anything about that yet. I know nothing whatever about Dr. Barr except in his public capacity.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ARREST OF MR. O'KELLY, M.P.

MR. PARNELL (Cork City) asked, Whether the Solicitor General for Ireland had considered the Question addressed to him last week, suggesting that the Government should assent to an application for an adjournment of the hearing of the case, so that the hon. Member might continue to attend to his Parliamentary duties until the Members of Parliament (Charges and Allegations) Bill had been disposed of?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): I have communicated the request made to me by the hon. Gentleman to the Attorney General for Ireland, and he informs me that he will not oppose a reasonable adjournment under the circumstances.

BUSINESS OF THE HOUSE.

MR. H. GARDNER (Essex, Saffron Walden) said, there were two Tithes Bills before the House, and he wished to ask the First Lord of the Treasury to consider whether it might not be expedient to press forward the less contentious measure of the two rather than to seek to carry both?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) said, he was sorry to put himself in opposition to the feelings of any hon. Members; but he could add nothing to the statement he had already made.

MR. OSBORNE MORGAN (Denbighshire, E.) said, that as there was some misapprehension, would the right hon. Gentleman say whether he meant to put those two Bills through their various stages before the House rose?

MR. W. H. SMITH: I should be glad if that was done; but we will ask the House to take the second reading of the Tithe Rent Charge Bill, and the other will pass, as it is not contentious.

SIR WILLIAM HARCOURT (Derby) asked, what Business would be taken on Thursday and Friday?

MR. W. H. SMITH said, it would be necessary to obtain a Money Vote this week. He intended to take a Vote for the Army and Navy Estimates on Thursday, and a Vote on Account of the Civil Service Estimates on Friday.

SIR WILLIAM HARCOURT said, the Chancellor of the Exchequer had promised to proceed with the Excise Duties (Local Purposes) Bill during the present week. It would be convenient to know whether that promise would be kept?

MR. W. H. SMITH said, owing to the fact that they must have money for the Public Service, it would not be possible to bring forward the Bill this week. He might add that, in the event of the Members (Charges and Allegations) Bill not passing through Committee that evening, he should ask to-morrow for the postponement of the Twelve o'clock Rule.

RIOTS AND DISTURBANCES (IRELAND) — ALLEGED MURDER OF JOHN FORAN.

COLONEL SAUNDERSON (Armagh, N.): I beg to ask the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland a Question of which I have given him private Notice. It is this —Whether he can inform the House as to the truth of the report which appears in *The Pall Mall Gazette* and other papers to the effect that an aged man named John Foran was murdered last Saturday evening between Tralee and Listowel; and whether he is aware of the fact, as stated, that this John Foran has for some time past been boycotted and under police protection?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): In an-

swer to my hon. and gallant Friend, I have to say that I am afraid I cannot give any information on the subject of the Question. I have not received any intimation of the fact to which he refers; but if my hon. and gallant Friend will put a Question on the Paper I shall be happy to answer it.

COLONEL SAUNDERSON: I will ask the Question to-morrow.

ORDERS OF THE DAY.

—o—

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.—[BILL 336.]

(*Mr. William Henry Smith, Mr. Secretary Matthews, Mr. Solicitor General.*)

COMMITTEE. [FIRST NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Appointment and duties of special Commissioners).

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) said, he begged to move the omission of the word "three" in the first line of the clause, and to insert "five." He conceived that, whatever else might be said about this Amendment, it could not be considered an Amendment to limit the scope of the inquiry. In his judgment, the number of the Commission as it stood at present in the Bill was entirely inadequate for the purpose; indeed, he suspected that the Government had at first the intention of appointing a larger number, for he could not imagine that when the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) described the Commission as one to be wholly or mainly composed of Judges, that three was the total number in his mind. He (Mr. Sexton) should say nothing about the three Commissioners who had been nominated to the House, because of two of them he knew nothing; and, therefore, he should be silent in regard to them. But with regard to the third, he was somewhat surprised he had been nominated by the Government, because the Government had recently nominated him upon another Royal Commission, and had disregarded and ignored his recommendations. In order to consider whether three was a sufficient number, they had to ask themselves what work this Commission would have to do? What was the scheme of the Government? The right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) was an important authority on the scheme of the Government; and at his garden party of Saturday last, when the guests were driven indoors by the rain, and listened to a speech of three columns from the host, he told them that the Commission would have to inquire into the whole conspiracy and the whole history of the Land League and the National League. Let him (Mr. Sexton) remind the Committee that since the foundation of the Land League down to the present time about nine years had elapsed; let him further remind the Committee that the Land League had existed, or that the National League did exist, in nine or 10 different countries—in Ireland, in England, in Scotland, in South Africa, in India, in the different Colonies of Australia, in New Zealand, Canada, and the British Settlements of North America, in the 31 States and territories of the United States, and in various territories of South America. The membership of the League included some millions of persons, and the scheme of the Government, as interpreted by the right hon. Gentleman the Member for West Birmingham, was a scheme by which the Commission would be launched without a rudder or compass on a boundless ocean. The Commission would have to inquire into the acts or speeches of any one of these millions of persons during the period of nine years, or into any knowledge in the minds of any of these persons as to what other persons intended to do, or into anything which might be regarded possibly by the Commission as corresponding with any of the charges, allegations, innuendoes, suggestions, or hints conveyed in the 275 pages of rhetoric in *Parnellism and Crime*. He thought that this Commission, therefore, had a considerable amount of work before it—work which would certainly not be accomplished in months, but which probably would occupy a period of some years. Now, a vast deal would depend upon the issue of this Commission, more, perhaps, than ever depended before in the history of England upon the Report of any similar Body. The issue of the Commission might affect the position of leading public men upon this side of the House, or upon the other; it might affect the constitution and rela-

tions of Parties in this House; it might have a serious, if not a decisive influence, upon the future of great political questions, and even upon the relations in some degree of the people of Great Britain and Ireland. Nothing could be imagined more important, nothing could be conceived more grave than the issue of this inquiry; therefore, they should take every precaution that the Commission should be effective for its purpose. Did they do this by appointing only three Commissioners? As he had said, the inquiry, if it followed the scheme of the Government, must be protracted over several years. If one of the three Commissioners should die in the course of the inquiry, or if one of them should become incapacitated by serious illness, or any other of several imaginary causes, the whole of the vast and ponderous inquiries ranging over the acts of millions of persons in various parts of the globe would be rendered abortive in the event of a difference of opinion on a material point between the remaining two Commissioners. He appealed with confidence to hon. Gentlemen opposite upon this point, because he was satisfied they would agree with him that an abortive issue to this inquiry would be a public misfortune. In the Amendment which he presented he endeavoured to take a reasonable and, he thought, not an excessive precaution that such a misfortune should not occur. There was another reason why this Commission should be enlarged. There was a provision in the Bill by which a Commission on request was authorized to issue in order to take evidence of witnesses abroad, and it was perfectly patent that if they appointed only three Commissioners, none of them could take evidence abroad. He had already pointed out that the inquiry might range over several countries, and, if the scheme of the Government were followed out, and if the Commissioners were to grope and ferret all over the world to endeavour to find some member, or any member, of the Land League, or National League, who was guilty of complicity in crime, or who had a guilty knowledge of crime, it was evident that a good deal of evidence would have to be taken abroad, and that the bearing of that evidence would be of vital importance. It had been already pointed out by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) and others, that the House, in delegating, in respect to this inquiry concerning Members of Parliament, to others the powers which, according to historical precedent, it ought to exercise itself, had been guilty of pernicious innovation. This was strange enough, but it would be stranger still if the House, having delegated important functions to certain known persons, to certain persons named, should then allow these named and responsible persons to delegate the most important part of their duties to other persons of whom the House knew nothing. He ventured to lay down the principle that any evidence to be taken by this Commission, whether it be taken at home or abroad, ought to be taken by Commissioners who were named in the Bill. If they gave the Commissioners power to name other persons to whom to delegate their powers, those persons might be fit or unfit, and no matter how flagrant might be their unfitness, the House would have nó control over their appointment or their conduct. He thought it would not be fair or reasonable to ask any Member of the House to submit himself to unknown Judges. He asked that the functions of this Commission, wherever it sat, should be exercised by men of whom the House had cognizance, and of whose appointment the House at the outset had approved. Relying upon these two reasons, he begged to move the Amendment which stood in his name.

Amendment proposed, in page 1, line 12, to leave out the word "three," and insert the word "five."—(*Mr. Sexton*)

Question proposed, "That the word 'three' stand part of the Clause."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.) said, that the proposal of the right hon. Member for West Belfast (Mr. Sexton) was one which the Government could not accept. The hon. Member had, he thought, greatly exaggerated the probable scope and range of the inquiry. There was no doubt that in the course of that inquiry questions might arise which demanded a good deal of inquiry; questions might arise which would render t necessary to procure evidence abroad.

but, at the same time, practical considerations must prevail with the Government in matters of this kind. As it was, no small embarrassment would be caused in the administration of justice in the country by the withdrawal of three Judges from their ordinary duties. There would, of course, be still greater interference with ordinary business if as many as five Judges were withdrawn for the purpose of conducting this Inquiry, and on that account alone the proposal of the right hon. Member was totally impracticable. The Government could not contemplate the withdrawal of so much of the legal force of the country, which, as hon. Members knew, was extremely limited, for a Commission of this kind. They had taken the greatest pains in the selection of the members of the Judicial Bench who would be appointed Commissioners by this Bill, and they believed them to be men of the highest judicial position, and of the greatest possible fairness and impartiality, and of the highest ability and capacity to conduct any inquiry, however difficult and complicated. When they had three men of that sort and character, they did not gain additional strength—at any rate, that was his experience—by multiplying the number of members. Every fresh mind, on the contrary, was likely to suggest fresh difficulties, fresh causes of inquiry, fresh subjects which might have to be investigated and looked up. He was persuaded that to every fair minded man the number of three was amply sufficient for all the purposes of the inquiry. The right hon. Member suggested that one of the Commissioners might die. It was quite true that the Bill did not provide for a contingency of that kind; they hoped that such a contingency might not arise, but if it did, or if one of the Members of the Commission was incapacitated by illness, it would be necessary, by a fresh Bill, to appoint a successor to fill the vacant place. That could easily be done, and the matter need give rise to no debate in the House. Then, the right hon. Member had further suggested that all evidence abroad ought to be taken by one of the Commissioners named in the Bill. That was a totally inadmissible proposition; certainly the Government never contemplated anything of the kind. They had given power to issue commissions or requests to examine witnesses abroad, but they never contemplated that a Judge of the Superior Court should go to some foreign country in order himself to take evidence. That was totally unnecessary, but hon. Members opposite might be quite easy in their minds, they would not be committing themselves to the judgment of unknown persons. The Sub-Commissioner who went abroad would have no judicial function to perform in the matter; his function would be entirely ministerial; he would have to see that questions were put in a proper way, and in sufficient number; and he would have to record the answers faithfully, and bring back the result to the three Commissioners, who alone would have to pass judgment and give an opinion on the effect of the evidence.

MR. SEXTON asked, what about examination and cross-examination by the representatives of the parties concerned?

MR. MATTHEWS said, that the examination and cross-examination would be governed by the directions the Commissioners themselves would give to the gentlemen they appointed. The right hon. Gentleman was aware that when evidence was taken on commission interrogatories, previously arranged, were sometimes administered by the persons charged with the duty of taking the evidence, and that sometimes representatives of the parties appeared and asked questions before the Commissioner. Sometimes one form was convenient, sometimes the other. The matter was regulated by the well-known practice of the Courts, and the Government did not propose that the commissions issued by this tribunal should be at all different from ordinary commissions.

MR. SEXTON said, he confessed he was amazed at the last observations of the right hon. Gentleman the Home Secretary. The right hon. Gentleman said that examination and cross-examination of witnesses abroad would be governed by the well-known practice of the Courts. The whole drift of the debate on the second reading was that the well-known practice of the Courts would not be allowed to apply to the Commission.

MR. MATTHEWS said, that what he said was that the conduct of the examination and cross-examination would be

guided by directions given by the Commission of Judges here.

MR. SEXTON said, the charges were charges of complicity in murder. Did the right hon. Gentleman the Home Secretary mean to tell the Committee that, while everything might turn upon the examination and cross-examination of witnesses in New York or San Francisco or Australia, that examination was to be ruled, governed, and controlled by one man of whom they knew nothing at present? They must know something about the men who were to conduct the inquiries, or, if they were to know nothing about the men, they must at least know in the course of the debate what were the directions the Commissioners at home would give to the men for their guidance. He did not go beyond what he considered to be the necessity of the case when he said that the vital results of the case might depend upon the degree in which the legal representatives of the parties concerned were allowed to examine and cross-examine witnesses who came forward. The right hon. Gentlemen had admitted that there was great force in his (Mr. Sexton's) proposal, because he said that in case one of the three Commissioners died or became incapacitated it would be necessary for the House to pass another Bill. Was it not better that the Commission should be of adequate numbers now, so that the House hereafter in a probable event should not be obliged to return to the subject, and should not be subjected to all the delay and annoyance of passing another Statute. Besides, it would be extremely inconvenient, when the inquiry had progressed perhaps a considerable way, that a new Commissioner should be added to the tribunal, who might not have seen the witnesses, and who had not the same opportunity as the rest of coming to a conclusion upon the evidence. He must repeat what he had said in regard to Mr. Justice Day, he was surprised at the nomination of that gentleman. The Government appointed him two years ago to inquire into the Belfast riots. Mr. Justice Day inquired very exhaustively and closely into and reported upon the riots; but the Government from that day to this had not acted upon his recommendations. The right hon. Gentleman said that he (Mr. Sexton) had magnified the scope of the inquiry; perhaps he would tell them in what way he had magnified it? Judging from the right hon. Gentleman's speech upon the second reading, the Commission was to inquire into every act of every member of the Land League and National League if they thought they had any reason to suppose such a member had been guilty of crime or complicity in crime. It was quite evident that this was an Irish race inquiry, for the Commission was to inquire into the relation and connection between every member of the Land League and National League and every other person in the world who might have been engaged in the promotion of outrage and crime. He did not magnify the scope of the inquiry; he and his hon. Friends had endeavoured to limit it. The Government had, however, refused to limit it, and he maintained, taking the scope of the inquiry as it was, considering its probable length, considering the importance and delicacy of the functions to be discharged abroad, that the ends of justice would not be satisfied unless the number of the Commission were enlarged according to the terms of his Amendment.

MR. HALDANE (Haddington) said, he fully appreciated the difficulties the right hon. Gentleman the Secretary of State for the Home Department had pointed out in the way of the Amendment; but the Amendment only showed that they were putting themselves and the House in an absolutely untenable position by proposing to constitute this inquiry upon the lines of this Bill. It was essential, so the right hon. Gentleman seemed to think, that evidence should be taken abroad—in America and elsewhere. The right hon. Gentleman said there were powers in this Bill to appoint Sub-Commissioners to take evidence abroad; but had the right hon. Gentleman in the whole course of his vast legal experience ever heard of a proposition to appoint a Commission to take evidence abroad to inquire where the issue was not a civil issue at all, not a question of a bill of exchange, or of mercantile law, but a criminal charge, analogous in all respects to the subject of proceedings which would under ordinary circumstances be taken in a Criminal Court? He asserted that there was no precedent for appointing a Commission of this kind; and not only so, but that the evidence taken by the Com-

missioners would be of a most unsatisfactory nature.

MR. ANDERSON (Elgin and Nairn) said, he certainly had been astonished to hear it laid down from the Treasury Bench that it was to be in the power of the Commissioners to appoint a Commissioner in New York or San Francisco, as was done in civil actions, and that evidence was to be taken before such Commissioner in regard to what was one of the gravest criminal charges which had ever been made. He certainly did not know, when the second reading of this Bill was being considered, that Sub-Commissioners were to be appointed to take evidence on which the guilt or criminality of any person might turn; evidence which anybody knew, if he understood anything about evidence, it was most important that the Judge who was to determine the charge should hear from the witness tendering it. He agreed with his right hon. Friend the Member for West Belfast (Mr. Sexton) that they ought to provide a sufficiently large machinery to enable one of the Commissioners appointed under the Bill to take the evidence required to be taken abroad.

MR. PARNELL (Cork) said, he thought that the Committee ought to recollect that in dealing with this Amendment they were discussing a proposal to provide a substitute for a jury. In the jury system of this country and of Ireland they provided that there should be 12 men; in Scotland, he believed, they provided a larger number, and that they took the verdict of the majority. But in the case of a substitute, where, he presumed, the decision of the majority would be taken, they only provided for a jury of three Judges. That was to say, they proposed to place the settlement of these most important and far-reaching and numerous issues, contained in the pamphlet entitled *Parnellism and Crime*, in the hands of two men. There was no precedent for this Commission; there was no precedent, so far as he knew, for any inquiry into the acts of individuals. He had asked at the beginning that these matters should be inquired into by a Select Committee. It would have been according to precedent; but the Government refused that, and they made the present proposal, for which, he maintained, there was no precedent, as a substitute. Waiving the objection on the ground of want of precedent, he stated, immediately after the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) had answered his Question, that he would be willing to submit his case to the hands of any tribunal composed of honourable, able, and just men. But he confessed, coming as he did fresh from the statement of the right hon. Gentleman in reply to his Question that the tribunal should be composed partly of Judges and partly of laymen, of non-judicial laymen, he was not prepared to find that the Commission would be composed of three Judges. Let them take the precedent they had in regard to other Royal Commissions. It was said that this Commission was a favour to the Irish Members. He denied that; he maintained that they, in waiving their ordinary position as citizens, and in consenting to allow an investigation which the Criminal Law did not permit before a Commission of Judges, put the public under an obligation, and the public did not put them under an obligation. Now, as he had said, let them take the precedents which existed in regard to inquiries by Commissions into the doings of organizations and of districts. But, although there were no precedents whatever for a Commission exactly like this, there had been Commissions such as the Sheffield Commission and the Whiteboy Commission, to which reference had been made, and which were in some respects similar, all of them having had charged upon them the duty of inquiring into matters connected with organizations. He would take the Sheffield Commission as an example. It was an example which had been largely drawn upon by right hon. Gentlemen sitting on the Front Bench opposite. The Sheffield Commission had merely to inquire into the proceedings in one town, whereas this Commission would inquire into proceedings throughout the United Kingdom and America. What was the composition of that Commission? [*Interruption, and cries of* "Order!"] Two hon. Gentlemen on the Ministerial Benches below the Gangway were speaking so loudly that he could scarcely hear his own voice. This matter might not be of importance to them, but it was to him and his country, and he must request that they would refrain

from conversation. He would endeavour to address himself as closely to the question as possible, and if his observations were not interesting to hon. Members opposite, he hoped they would conduct their conversation elsewhere. The Sheffield Commission, notwithstanding its comparatively limited scope, consisted of 11 Members, presided over by Sir William Erle. Yet they were now told by the Government that they were asking too much, because they were not satisfied with a Commission of three Judges, after the House had been informed by the right hon. Gentleman the First Lord of the Treasury that it would be composed partly of Judges and partly of non-judicial members.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): What I said was, that the Commission would be composed wholly or partly of Judges.

MR. PARNELL said, he was willing to give the right hon. Gentleman whatever advantage was to be derived from that correction. The right hon. Gentleman had said that it should consist wholly or partly of Judges. Why should the issues in this matter—which were issues of grave importance and extending over a wider field than any that were ever before submitted to a Royal Commission—be restricted to so small a tribunal? He said it was monstrous that they should be asked to go before a Commission, and to incur all the expense of an inquiry, which at a moment's notice by the death or illness of any one of its members might be deprived of all its power of proceeding any further. The right hon. Gentleman the Home Secretary spoke of another Act of Parliament, but the introduction of such legislation would depend on the disposition of the Government. They did not feel disposed to place any confidence whatever in the disposition of Her Majesty's present Government, and they did not know how far, after the inquiry had proceeded for some time, the Government might desire to see it dropped. They did not know what colour might be imported into it. They did not know how far a Conservative Government might desire to have the proceedings of the Commission continue, or how far they might desire to render them abortive. He (Mr. Parnell) had said the Sheffield Commission was composed of a much larger number of members. He would now take the Belfast Commission. The Belfast Commission was appointed to inquire into the proceedings at the riots which only lasted a few days or a week. The riots themselves were confined to a narrow area, but that Commission consisted of five Members. Yet the present Commission was to consist of three members only. The right hon. Gentleman had accused them of magnifying the scope of this inquiry. It was impossible for human ingenuity to magnify its scope. Since the right hon. Gentleman the First Lord of the Treasury directed attention to a pamphlet entitled *Parnellism and Crime* as the source from which they could derive information as to the extent of the inquiry, he had for the first time read the pamphlet. He found, whether having regard to the charges expressed or existing only in innuendo, that the field was a wide and a varied one, and that, in fact, it would be impossible for him to even attempt to magnify the scope of that inquiry. It was preposterous and ridiculous to say that the strain upon the Judicial Bench would be too great if their demand were complied with. They had not asked for additional Judges. He would direct the attention of the First Lord of the Treasury to his statement on the first reading of the Bill that they did not seek to add additional Judges, but men who were not laymen and who had had a judicial training. There could be no objection to such a proceeding as that. There were plenty of able men well qualified for the office, as in the case of the Sheffield and the Belfast Commissions, to be joined with such eminent members as the Judges. The argument of the right hon. Gentleman the Home Secretary was an unworthy argument which could not hold water, and one which ought not to have been used under the circumstances. He wished to say one word in reference to the argument of the right hon. Gentleman the Home Secretary respecting the operations of the Commission abroad. The right hon. Gentleman distinctly said, in reply to his hon. Friend who moved this Amendment, that the proceedings of the Commission abroad would be governed by the well known practice of the Courts. With these words hot and fresh in the memory of the House the right hon. Gentleman got up, two minutes after-

wards, and denied using them. What prospect had they of entering upon discussion on this Bill when the right hon. Gentleman resorted to such an expedient? The right hon. Gentleman's words were taken down immediately they fell from his lips, and were in the recollection of the House. The right hon. Gentleman now denied that he had used them. The right hon. Gentleman had, no doubt, had his eye on the argument most eagerly insisted upon in the debate on the second reading—the necessity there was that the Commission should not be bound by legal rules of evidence. Talking of the impartiality of the Leaders of the Government, he had been amused by reading in an evening paper that day—one of the Tory organs—that there was no longer any question of the guilt or innocence of Mr. Parnell. This organ gravely asserted that his guilt or innocence had long ceased to be a matter of contention, and that there were no two opinions as to his guilt, and that the question had simply become one as to how he could best be proved to be guilty. That was the position taken up by one of the London leading Conservative evening papers that day. Was that the position taken up by the Front Bench? If it was not their position, why did they not get up and deny it? If he was to be held responsible for everything Mr. Patrick Ford said in his newspaper in America, and a Commission was to be appointed to inquire into those articles of Mr. Patrick Ford's and not into what he had said, why should the right hon. Gentleman and his Party not be held responsible for what their organs in London immediately under their control and within their reach chose to say? Oh no; it would be said that would be very unfair, for it would not be a question of anything against an unfortunate Irishman, with all the odds against him except his own innocence, but it would be a question of the stability of Her Majesty's Government. This Commission when it went abroad would, according to the language of the right hon. Gentleman the First Lord of the Treasury that day, have to inquire into all the allegations in *Parnellism and Crime*. By far the larger portion of *Parnellism and Crime* was taken up by the doings and sayings of men abroad. If he were placed in one scale and the sayings and doings of men in America mentioned in *Parnellism and Crime* were to be placed in another, his weight would be as nothing to theirs. His proceedings and doings in this country filled but a very small part indeed of *Parnellism and Crime* compared with the sayings and doings which were to be inquired into in America. He had no hesitation in saying that if Her Majesty's Government were honest in their statements, if they believed in their statements, if there was any sense in which the allegations in *Parnellism and Crime* were to be inquired into, the Commission should be directed to sit in America and take all its proceedings in America. Nearly all the witnesses to be examined were in America; in Great Britain there was no evidence to be taken, though, unhappily, the same was not the case as regarded Ireland. The major part of the pamphlet was taken up with a repetition of the newspaper articles of Mr. Patrick Ford's, and resolutions adopted at meetings held by his hon. Friend and other persons in America, and every conceivable thing that happened in America whether it had any bearing on the question or not. Therefore, he said, it was of the greatest importance that this Commission should be divided into two portions—one to cover America and the other to cover Ireland. He declined to submit the American portion of the field of investigation to some unknown barrister, unguided by any rules of legal evidence and unguided by any directions in this Bill. It would be impossible for such a barrister, no matter what his skill or what his experience might be, to be capable of the responsibility of settling the varied and important points of detail with regard to such matters of detail and principle as would come before him for decision from day to day. He would submit that the Government had not a leg to stand upon with regard to this question, and he would ask whether they were proceeding fairly by meeting this Amendment with a blank rejection?

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. J. P. B. ROBERTSON) (Bute) said, that, till the hon. Member for Cork City rose, the greater part of the argument of hon. Gentlemen below the Gangway had been directed to showing that such great powers as it was proposed to entrust to this Commission

should not be entrusted to be used abroad by any less skilled persons than Judges.

MR. SEXTON said, that that was not his argument. His contention was that the House ought to know what the inquiry was to be.

MR. J. P. B. ROBERTSON said, that it was objected that unknown barristers might be employed. Now the hon. Member for Cork (Mr. Parnell) complained that there was no representation of the lay element on the Commission.

MR. PARNELL said, he made no such complaint whatever.

MR. J. P. B. ROBERTSON said, the hon. Gentleman certainly did.

Several hon. MEMBERS: No, no!

MR. J. P. B. ROBERTSON asked for what purpose, then, were the names of the Sheffield Commissioners read out?

MR. PARNELL said, he simply mentioned that trained persons other than Judges were appointed on other Commissions to meet the argument of the Home Secretary that it would overstrain the Judicial Bench to appoint more Judges on the Commission.

MR. J. P. B. ROBERTSON said, that for one reason or another the hon. Member had made it a matter of complaint that the lay element was not placed on the Commission. [MR. PARNELL: No.] Was it proposed that the lay Commissioners to be appointed should be sent to America to take evidence? But, he would ask, who would be better qualified to take evidence in America than trained lawyers appointed by and acting under instructions from the Judges on the Commission? The hon. Member was on the horns of a dilemma. Were the lay Commissioners whom the hon. Gentleman wished to be appointed to sit at home and conduct the most important part of the inquiry, and were the Judges to go to America? Was that what hon. Members wished? But, if it were said that there should be five Judges, he would ask whether it was reasonable that a larger body of Judges should be appointed to conduct this investigation than sat in almost any Court together? Experience showed that for unquestionable reasons so large a number as five was not required. Then it was said that the greater part of the inquiry would be conducted abroad. Was there any reason to suppose that the Judges would not be in possession of the greater part of the evidence in this country? But if they required further evidence from America they could send skilled assistance to obtain it. On the whole, he thought that the Amendment was not supported by consistent arguments, and that the number of three Judges was sufficient to accomplish the work entrusted to them, with the assistance of Commissioners.

MR. BRADLAUGH (Northampton) said, the question which had been raised as far as the discussion upon the Amendment had already gone was an extremely serious one, so serious that he should like to impress on the Committee his apprehension of its seriousness. It seemed to be taken to be germane to the Amendment now before the Committee to discuss the question of taking evidence abroad, and he wished to point out that evidence could not be taken abroad under any of the circumstances which regulated the taking of evidence at home. It had been his lot in life to have acted abroad as a Commissioner and in examining witnesses before Commissioners, and he ventured to say that the taking of evidence before a Commission abroad upon charges involving murder and other felonies was a matter which could hardly have entered the apprehension of any person who desired a serious inquiry. What power had Commissioners abroad to enforce the attendance of any witness? What power was there to commit a witness who refused to answer? What power was there in America or in any other country out of the jurisdiction of the Commission—all countries beyond the seas being outside the jurisdiction of the Commission—to enforce the production of any documents or to inflict any kind of punishment for contempt? Were they upon charges of this nature to have evidence collected, they did not know how and by they did not know whom? An ordinary Commission issued by Judges was issued for the examination of special people, the grounds being submitted to the Judges on which it was not probable that the witnesses would appear before an English tribunal. If people were likely to attend them, no Commission was issued. It was only when they would not appear, or it was not expected they would obey the process of the English Courts, that a Com-

mission was sent out to examine them. Was this Commission to have the discretion whether or not it would examine certain persons?

THE CHAIRMAN: Order, order! I must point out that the proper time to discuss any question of whether there should be any inquiry abroad and how it should be conducted, would be on Sub-section 4 of Clause 2, which expressly deals with that question; it is only relevant here in relation to the number of Commissioners and how that number should be detached.

MR. BRADLAUGH said, it was because he had felt that difficulty that he had made the remark he did at the beginning of his observations, that the question was one which had been treated by both sides of the House as germane to the Amendment. He quite felt the difficulty of the matter, and when they came to the proper place, —namely, Sub-section 4 of Clause 2, he would, if no one else did, move its omission.

MR. T. P. O'CONNOR (Liverpool, Scotland) said, that the hon. and learned Solicitor General for Scotland had ventured to find fault with the remarks of the hon. Member for Cork (Mr. Parnell), and seemed to think that the work to be done in America was the least important part of the inquiry. He would not enter into the question whether it was right or not to send a Commission abroad. For the moment he would assume that they were bound to have a Commission abroad. The hon. and learned Solicitor General for Scotland seemed to think that that would be the lesser part of the inquiry. On the contrary, it was far and away the most important part of these proceedings. The main charge against them was complicity with men who had committed crime. Where were those men? At the present moment nearly every one of them was in America, and therefore the proceedings in America would form the most important part of the inquiry. The Home Secretary had said something about the manner in which the Commission would pursue its labours; but he had not been quite consistent. He had told the right hon. Member for West Belfast (Mr. Sexton) that the evidence would be taken in accordance with the well known practice of the Courts. If so, they would have a strong guarantee that this Commission would conduct its business in a proper kind of manner. But immediately afterwards the right hon. Gentleman qualified his statement by saying that the Commission would act upon the rules settled for it by the Judges at home. That was quite a different thing. This Commission would be held in America, and in the absence of Members of that House, and yet their innocence and guilt were to be inquired into by persons whom they did not know, and upon principles with which they were still unacquainted. Men charged with the gravest of crimes were to be left at the mercy of unknown individuals conducting their proceedings on unknown principles. There was a greater necessity for a judicial tribunal in America than in this country. Here, although they were charged, not as criminals, but as accessories, they had the protection of Parliament and of public opinion. There was no such protection in America; but the inquiry might be of a hole and corner character, and their characters and reputations would be at the mercy of a chance tribunal. The hon. and learned Solicitor General for Scotland had misrepresented the hon. Member for Cork as demanding that the tribunal should be partly judicial and partly lay. Nothing of the kind. The right hon. Gentleman the First Lord of the Treasury, who had not quoted himself accurately, had said that it would be mainly judical.

MR. W. H. SMITH: Wholly or mainly?

MR. T. P. O'CONNOR: That meant that other persons might be upon the Commission, but it meant someone of experience and trained in the law and acquainted with the rules of law. What his hon. Friend proposed was, that perhaps one Judge, with a lay Commission to help him, should go to America and decide what evidence should be rejected and what taken. Surely this Committee had to decide the important question of what evidence and how much should be taken, and what rejected. It had to decide what was to be the ultimate examination and the ultimate cross-examination. All these questions raised most vital points, and were they to be tried 3,000 miles away, at New York or anywhere

else, in the absence of the Irish Members? Was it not absolutely necessary to have a tribunal that would apply to its examination the strictest and fairest Laws of Evidence, and he submitted that that could only be obtained by sending Commissioners abroad in whom they had the fullest confidence.

MR. LABOUCHERE (Northampton) said, that the hon. and learned Solicitor General for Scotland had said, as the reason for not assenting to the reasonable proposal of the right hon. Member for West Belfast (Mr. Sexton), that it would be very difficult to take more than three Judges from their judicial functions. For his own part, he thought there would be great difficulty in taking away for three or six months or a year the three proposed, and he did not precisely understand how the business of litigants was to be attended to. But the reply of the hon. and learned Solicitor General for Scotland was of no value, because the right hon. Member for West Belfast did not, for a moment, suggest that all the Commissioners should be Judges. Two Commissions had been referred to—the Sheffield Commission and the Metropolitan Board of Works Commission. It had been shown that, on the Sheffield Commission, the greater number of the Members had been laymen, while on the Metropolitan Board of Works Commission only one of the Members was a Judge—an ex-Lord Chancellor, another being an eminent barrister, and the third, Mr. Henry Grenfell, an eminent gentleman in the City. Then they had been told that they had three men of the most eminent impartiality, and they were asked who would say anything against the Judges of the land. Well, he would, for one, and he would tell them which Judge it was to whom he objected, and what the Judge had done to render him unfit to take up these duties. The Judge he alluded to was Mr. Justice Day. There was a trial at Liverpool on the 18th of——[*Cries of* "Order!"]

THE CHAIRMAN said, he failed to see that what occurred at Liverpool had anything to do with the Question before the Committee.

MR. LABOUCHERE said, this was the line of argument he was about to take. He was going to reply to the argument that three Judges would be enough by showing what one of those gentlemen, Mr. Justice Day himself, had said as an argument in favour of a greater number. Was that germane to the Amendment or not?

THE CHAIRMAN said, he would watch the progress of the hon. Gentleman's argument.

MR. LABOUCHERE said, that there was a trial at Liverpool of three Irishmen who were accused of attacking certain persons on the road, and Mr. Justice Day, in sentencing them, said that—"such a dastardly, cowardly, brutal crime could not be found in England." [*Cries of* "Order!"]

THE CHAIRMAN: The hon. Member is not in Order. How can the hon. Gentleman connect that with the Question before the Committee?

MR. LABOUCHERE said, he wanted, if he could, to neutralize the proposition of the Government. Would that be in Order? If not he would be able to raise the question when the names were put. He would only add now that it was perfectly reasonable as juries consisted of 12, and all must agree that, in a Commission of this sort where the majority was to decide, and no unanimity was required, there ought to be more than three. He objected to five, and he objected to three; but he thought that five was better than three. However, there were three too many in this Commission, and from the beginning he had been entirely opposed to it, because he considered it was unconstitutional and unnecessary, and it was monstrous that the House should assent to it in order to whitewash *The Times*.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, that if they wanted more Judges the Scotch Judges were easily obtainable, and he could not understand why they should not be made available. They were underworked; the Court of Session had not enough to do, and could spare one or two eminent Judges with great facility. He was sure, if they wanted Judges, that they could get them from Scotland.

Question put.

The Committee *divided*:—Ayes 233; Noes 195: Majority 38.

AYES.

Agg-Gardner, J. T.	Anstruther, Colonel R. H. L.
Ainslie, W. G.	Anstruther, H. T.
Aird, J.	Ashmead-Bartlett, E.
Ambrose, W.	Baden-Powell, Sir G. S.
Amherst, W. A. T.	

Baird, J. G. A.
Balfour, rt. hon. A. J.
Banes, Major G. E.
Barclay, J. W.
Baring, T. C.
Barnes, A.
Barry, A. H. S.
Bartley, G. C. T.
Barttelot, Sir W. B.
Bazley-White, J.
Beach, W. W. B.
Beadel, W. J.
Beaumont, H. F.
Beckett, E. W.
Bective, Earl of
Bentinck, rt. hn. G. C.
Bentinck, Lord H. C.
Bentinck, W. G. C.
Bethell, Commander G. R.
Bigwood, J.
Birkbeck, Sir E.
Blundell, Colonel H. B. H.
Bonsor, H. C. O.
Boord, T. W.
Borthwick, Sir A.
Bridgeman, Col. hon. F. C.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Burdett-Coutts, W. L. Ash.-B.
Caine, W. S.
Caldwell, J.
Campbell, Sir A.
Carmarthen, Marq. of
Cavendish, Lord E.
Chamberlain, rt. hn. J.
Chaplin, right hon. H.
Charrington, S.
Clarke, Sir E. G.
Cochrane-Baillie, hon. C. W. A. N.
Coddington, W.
Collings, J.
Colomb, Sir J. C. R.
Corbett, A. C.
Corry, Sir J. P.
Cranborne, Viscount
Crossley, Sir S. B.
Crossman, Gen. Sir W.
Cubitt, right hon. G.
Curzon, Viscount
Curzon, hon. G. N.
Darling, C. J.
Davenport, H. T.
De Lisle, E. J. L. M. P.
Dimsdale, Baron R.
Dixon, G.
Dixon-Hartland, F. D.
Dorington, Sir J. E.
Dugdale, J. S.
Dyke, rt. hn. Sir W. H.
Ebrington, Viscount
Edwards-Moss, T. C.
Egerton, hon. A. J. F.
Elcho, Lord
Elliot, hon. A. R. D.
Elliot, hon. H. F. H.
Elton, C. I.
Ewing, Sir A. O.
Feilden, Lt.-Gen. R. J.
Fellowes, A. E.
Fergusson, right hon. Sir J.
Field, Admiral E.
Finch, G. H.
Finlay, R. B.
Fisher, W. H.
Fitzwilliam, hon. W. H. W.
Fletcher, Sir H.
Forwood, A. B.
Fowler, Sir R. N.
Fraser, General C. C.
Fulton, J. F.
Gardner, R. Richardson-
Gathorne-Hardy, hon. A. E.
Gedge, S.
Giles, A.
Gilliat, J. S.
Goldsmid, Sir J.
Goldsworthy, Major-General W. T.
Gorst, Sir J. E.
Goschen, rt. hon. G. J.
Granby, Marquess of
Gray, C. W.
Green, Sir E.
Greene, E.
Grimston, Viscount
Grotrian, F. B.
Gurdon, R. T.
Hall, A. W.
Halsey, T. F.
Hambro, Col C. J. T.
Hamilton, right hon. Lord G. F.
Hamley, Gen. Sir E. B.
Hanbury, R. W.
Hankey, F. A.
Hardcastle, E.
Hardcastle, F.
Hartington, Marq. of
Heath, A. R.
Heathcote, Capt. J. H. Edwards-
Herbert, hon. S.
Hermon-Hodge, R. T.
Hill, right hon. Lord A. W.
Hoare, E. B.
Hoare, S.
Hobhouse, H.
Hornby, W. H.
Houldsworth, Sir W. H.
Howorth, H. H.
Hozier, J. H. C.
Hubbard, hon. E.
Hughes-Hallett, Col F. C.
Jackson, W. L.
Jarvis, A. W.
Jennings, L. J.
Johnston, W.
Kelly, J. R.
Kenyon-Slaney, Col. W.
Kerans, F. H.
Kimber, H.
Knatchbull-Hugessen, H. T.
Knightley, Sir R.
Knowles, L.
Kynoch, G.
Lafone, A.
Lambert, C.
Laurie, Colonel R. P.
Lawrence, Sir J. J. T.
Lawrence, W. F.
Lechmere, Sir E. A. H.
Lees, E.
Legh, T. W.
Leighton, S.
Lethbridge, Sir R.
Lewis, Sir C. E.
Lewisham, right hon. Viscount
Llewellyn, E. H.
Long, W. H.
Lowther, rt. hon. J.
Lowther, hon. W.
Lowther, J. W.
Lubbock, Sir J.
Macartney, W. G. E.
Macdonald, right hon. J. H. A.
Mackintosh, C. F.
Maclean, F. W.
Maclean, J. M.
Maclure, J. W.
M'Calmont, Captain J.
Madden, D. H.
Mallock, R.
Marriott, rt. hon. Sir W. T.
Maskelyne, M. H. N. Story-
Matthews, rt. hn. H.
Maxwell, Sir H. E.
Mildmay, F. B.
Mills, hon. C. W.
More, R. J.
Moss, R.
Mowbray, R. G. C.
Mulholland, H. L.
Muntz, P. A.
Noble, W.
Northcote, hon. Sir H. S.
Norton, R.
Paget, Sir R. H.
Parker, hon. F.
Pelly, Sir L.
Plunket, rt. hon. D. R.
Powell, F. S.
Raikes, rt. hon. H. C.
Rasch, Major F. C.
Reed, H. B.
Ritchie, rt. hon. C. T.
Robertson, Sir W. T.
Robertson, J. P. B.
Robinson, B.
Rollit, Sir A. K.
Ross, A. H.
Rothschild, Baron F. J. de
Round, J.
Russell, Sir G.
Saunderson, Colonel E. J.
Sellar, A. C.
Shaw-Stewart, M. H.
Smith, rt. hon. W. H.
Smith, A.
Stanhope, rt. hon. E.
Stanley, E. J.
Stephens, H. C.
Stewart, M. J
Stokes, G. G.
Swetenham, E.
Talbot, J. G.
Taylor, F.
Temple, Sir R.
Thorburn, W.
Tollemache, H. J.
Tomlinson, W. E. M.
Trotter, Colonel H. J.
Tyler, Sir H. W.
Villiers, rt. hon. C. P.
Waring, Colonel T.
Webster, Sir R. E.
Webster, R. G.
West, Colonel W. C.
Weymouth, Viscount
Wharton, J. L.
Whitley, E.
Whitmore, C. A.
Winn, hon. R.
Wodehouse, E. R.
Wolmer, Viscount
Wood, N.
Wortley, C. B. Stuart-
Wright, H. S.

TELLERS.

Douglas, A. Akers-
Walrond, Col. W. H.

NOES.

Abraham, W. (Limerick, W.)
Acland, A. H. D.
Acland, C. T. D.
Allison, R. A.
Anderson, C. H.
Asquith, H. H.
Atherley-Jones, L.
Balfour, Sir G.
Balfour, rt. hon. J. B.
Barbour, W. B.
Barran, J.
Biggar, J. G.
Bolton, J. C.
Bradlaugh, C.
Bright, Jacob
Bright, W. L.
Broadhurst, H.
Brown, A. L.
Brunner, J. T.
Bryce, J.
Buchanan, T. R.
Burt, T.
Buxton, S. C.
Byrne, G. M.
Campbell, Sir G.
Campbell-Bannerman, right hon. H.
Carew, J. L.
Causton, R. K.
Chance, P. A.
Channing, F. A.
Childers, right hon. H. C. E.
Clancy, J. J.
Clark, Dr. G. B.

Cobb, H. P.
Colman, J. J.
Conway, M.
Corbet, W. J.
Cossham, H.
Cox, J. R.
Cozens-Hardy, H. H.
Craig, J.
Craven, J.
Crawford, W.
Crilly, D.
Deasy, J.
Duff, R. W.
Ellis, J.
Ellis, J. E.
Ellis, T. E.
Esmonde, Sir T. H G.
Esslemont, P.
Evans, F. H.
Farquharson, Dr. R.
Ferguson, R.C.Munro-
Finucane, J.
Fitzgerald, J. G.
Flower, C.
Flynn, J. C.
Foley, P. J.
Foljambe, C. G. S.
Forster, Sir C.
Fox, Dr. J. F.
Gardner, H.
Gaskell, C. G. Milnes-
Gilhooly, J
Gill, T. P.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gourley, E. T.
Graham, R. C.
Grove, Sir T. F.
Haldane, R. B.
Hanbury-Tracy, hon. F. S. A.
Harcourt, rt. hon. Sir W. G. V. V.
Harrington, E.
Hayden, L. P.
Hayne, C. Seale-
Healy, M.
Holden, I.
Hooper, J.
Howell, G.
Hoyle, I.
Hunter, W. A.
Jacoby, J. A.
James, hon. W. H.
Joicey, J.
Jordan, J.
Kay-Shuttleworth, rt. hon. Sir U. J.
Kenny, C. S.
Kenny, J. E.
Kenny, M. J.
Kilbride, D.
Labouchere, H.
Lalor, R.
Lawson, Sir W.
Lawson, H. L. W.
Leahy, J.
Leamy, E.
Lewis, T. P.
Lyell, L.
Macdonald, W. A.
MacInnes, M.
Mac Neill, J. G. S.
M'Arthur, A.
M'Arthur, W. A.
M'Cartan, M.
M'Carthy, J.
M'Donald, P.
M'Donald, Dr. R.
M'Ewan, W.
M'Kenna, Sir J. N.
M'Lagan, P.
Mahony, P.
Maitland, W. F.
Mappin, Sir F. T.
Marum, E. M.
Molloy, B. C.
Morgan, rt. hon. G. O.
Morgan, O. V.
Morley, right hon. J.
Morley, A.
Murphy, W. M.
Neville, R.
Newnes, G.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, J. F. X.
O'Brien, P. J.
O'Connor, J.
O'Connor, T. P.
O'Doherty, J. E.
O'Gorman Mahon, The
O'Hanlon, T.
O'Keeffe, F. A.
Palmer, Sir C. M.
Parnell, C. S.
Paulton, J. M.
Pickersgill, E. H.
Picton, J. A.
Pinkerton, J.
Playfair, rt. hon. Sir L.
Plowden, Sir W. C.
Portman, hon. E. B.
Powell, W. R. H.
Power, P. J.
Power, R.
Price, T. P.
Pugh, D.
Pyne, J. D.
Redmond, J. E.
Redmond, W. H. K.
Reid, R. T.
Reynolds, W. J.
Richard, H.
Roberts, J.
Robertson, E.
Roscoe, Sir H. E
Rowlands, J.
Rowlands, W. B.
Rowntree, J.
Samuelson, G. B.
Schwann, C. E.
Sexton, T.
Shaw, T.
Sheil, E.
Simon, Sir J.
Sinclair, J.
Smith, S.
Spencer, hon. C. R.
Stack, J.
Stanhope, hon. P. J.
Stansfeld, rt. hon. J.
Stepney - Cowell, Sir A. K.
Stevenson, F. S.
Stewart, H.
Stuart, J.
Sullivan, D.
Sullivan, T. D.
Summers, W.
Swinburne, Sir J.
Tanner, C. K.
Thomas, D. A.
Trevelyan, right hon. Sir G. O.
Tuite, J.
Wallace, R.
Warmington, C. M.
Watt, H.
Wayman, T.
Will, J. S.
Williamson, S.
Wilson, C. H.
Wilson, H. J.
Winterbotham, A. B.
Woodall, W.
Woodhead, J.

TELLERS.

Dillwyn, L. L.
Illingworth, A.

MR. W. H. SMITH: I beg to move to insert the names of the right hon. Sir James Hannen, the hon. Sir John Charles Day, and the hon. Sir Archibald Levin Smith.

Amendment proposed,

In page 1, line 12, after the last Amendment, to insert the words "the Right Honourable Sir James Hannen, the Honourable Sir John Charles Day, and the Honourable Sir Archibald Levin Smith."—(*Mr. W. H. Smith.*)

Question proposed, "That those names be there inserted."

MR. LABOUCHERE said, he had just now called attention to the proposed appointment of Mr. Justice Day as a member of this proposed Commission. He desired to point out what took place on November 13, 1884——

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I rise to ask, Sir, whether the procedure with regard to the names of these Commissioners may not be similar to that adopted in the case of the appointment of Members to a Select Committee. When we are deciding as to the names on a Select Committee—which is of comparatively small importance when compared with the appointment we are now making—we go through the names one by one. The Question from the Chair is "That A. B. be another Member of the said Committee." I hope in this case we may be allowed to have the names put separately.

THE CHAIRMAN: There will be no difficulty whatever in doing that.

Question "That the words 'the Right Honourable Sir James Hannen' be there inserted," put, and *agreed to.*

Amendment proposed, in page 1, line 12, after the last Amendment, to insert the words "the Honourable Sir John Charles Day."—(*Mr. William Henry Smith.*)

Question proposed, "That those words be there inserted."

MR. LABOUCHERE said, he desired in connection with the name of this Judge to call the attention of the Committee to a case that took place on Thursday, November 13, 1884. It was a case in which three Irishmen appeared to have assaulted some other man on the highway, and he (Mr. Labouchere) quite admitted that in all probability the men were guilty. They were found guilty, and in sentencing them to 18 months' imprisonment Mr. Justice Day used the following words:—

"Such a dastardly, cowardly, brutal crime could not be found in England if it were not found to be committed by men who are unfortunately imported into the country."

["Hear, hear!"] Hon. Members opposite cried "Hear, hear;" they no doubt shared in these views of Mr. Justice Day, and thought that he had a right to make a distinction between Irishmen and Englishmen, and to make these general accusations against Irishmen. He (Mr. Labouchere), however, thought, on the contrary, that that was a reason why Mr. Justice Day should not be a Member of this Commission. Now, what were the remarks of the newspapers of that time on this transaction? Why, the leading newspaper in Liverpool he thought was *The Liverpool Daily Post*, and that newspaper said this:—

"Mr. Justice Day's savage address to the three prisoners in sentencing them to imprisonment for unlawfully wounding a fourth person on the highway was not calculated to add dignity to the judicial Bench. The crime was a most brutal and unprovoked one, but there was no reason why Mr. Justice Day should father upon Irishmen all similar cases of ruffianism that occur in England."

Then there was another newspaper which commented upon this address of Mr. Justice Day, and it was a newspaper which would no doubt recommend itself to hon. Gentlemen from Ireland on the Ministerial side of the House, *The Dublin Evening Mail*. That newspaper said—

"If Mr. Justice Day had not the character of being the very stupidest Judge on the English Bench or any other Bench his remarks at Liverpool would call for some strong comment. As it is, his absurd attempts to stir up animosity against the Irish can be treated with contempt and derision."

There was another extract of much the same kind from the Belfast *Northern Whig*, with which he would not, however, trouble the House. [*Cries of* "Read!"] Well, it said—

"It would be foolish to deny that Irishmen are sometimes guilty of savage crimes; but it is equally foolish, to use no harder term, for a Judge to say, in the face of English conveners of crime, that Irishmen are to be blamed for all the cowardly assaults that are committed."

He thought he had sufficiently shown that Mr. Justice Day, sitting as a Judge upon the Bench, had not displayed that independence of judgment and that absolute impartiality in the matter of Irish crime which would entitle him to sit on this Commission. He (Mr. Labouchere) did not know what course his hon. Friends from Ireland intended to take. The matter was one which regarded them more than the English Members; but he felt it to be his duty—these extracts having been given to him and he having looked up the case—to make these facts known to the Committee in order that hon. Members might form their own opinion as to whether, under such circumstances, Mr. Justice Day ought to be put upon a Commission which was to deal with matters which involved, as the Government said, crime and outrage of the worst description in Ireland.

MR. ASQUITH (Fife, E.) said, he very much regretted that this discussion should have been rendered possible, and he earnestly trusted that it might very soon be brought to a close. For his own part he declined to express either approval or disapproval of the manner in which this Commission had been appointed. He would not enter into the invidious task—to one who was not only a Member of that House, but also a member of the English Bar, the almost impossible task—of criticizing and canvassing in public the qualifications of the learned Judges whose names had been submitted to the House. He wished to make it clear that for the initiation of this discussion and for whatever inconvenience and public scandal might result, the sole and undivided responsibility rested on the shoulders of Her Majesty's Government. Why had not the Government adopted the simple and rational course—before they made any public announcement of the names—of entering into private communication and negociation with that (the Opposi-

tion) side of the House? He would undertake to say that if they had done so, a perfect and complete agreement might have been arrived at without difficulty or delay, and the names submitted to Parliament would have passed not only unchallenged, but without as much as a syllable of debate. But Her Majesty's Government had not taken that course. What had they done? They got their Lord Chancellor, without communication, so far as he (Mr. Asquith) knew, with anybody, and upon his own responsibility, to nominate the three learned Judges whose names had just been read by the right hon. Gentleman the Leader of the House (Mr. W. H. Smith). And what was the result? Why, the result was that the Members of the House found themselves shut up between two equally objectionable alternatives. They must either, on the one hand, pursue the discussion which the hon. Gentleman the Member for Northampton (Mr. Labouchere) had begun—a discussion open to the gravest objection and difficulty, and a discussion which, moreover, had this great drawback, that it was of an entirely academic and unpractical character, because there was no power of moving an Amendment or suggesting an alternative name. They must either adopt that course, or else they must close their lips; and, whatever they might think of the goodness or badness of the names which had been chosen, they must submit to them in absolute and unbroken silence. For his own part, great as were the difficulties of either course in the choice of evils to which the action of the Government had exposed them, he did not hesitate to say that he preferred the course of silence as the less objectionable of the two. But this he might add, in order to prevent misconception, that from compulsory silence no inference could fairly be drawn either the one way or the other, and he thought it right in these few words, which he was sure expressed the opinion of a large number of hon. Members on both sides of the House, to enter a protest against the course the Government had adopted as being at one and the same time unfair to the Irish Members who were immediately concerned, unfair to the House of Commons, and, most of all, unfair to the learned Judges themselves.

MR. BRUNNER (Cheshire, Northwich) said, he wished to ask, as a point of Order, whether it would not be possible to leave a blank in the clause for the names, and to proceed in the discussion of the rest of the Amendments?

THE CHAIRMAN: It would, of course, be possible to reject the Motion made that this name be there inserted.

MR. T. P. O'CONNOR asked whether it would be possible to propose the name of another learned Judge in place of that of Mr. Justice Day?

THE CHAIRMAN: If the name under discussion is rejected, another name can be proposed.

MR. T. P. O'CONNOR said, that for that reason he could not agree with the eloquent remarks of the hon. and learned Gentleman the Member for East Fife (Mr. Asquith)—that this debate need not be entirely of an academic character, if the Committee should in its wisdom see fit to reject the name of the learned Judge to whom the hon. Member for Northampton (Mr. Labouchere) had objected. If that name were rejected, it would be quite possible for the Committee to substitute the name of another Judge in place of that of Mr. Justice Day. They could not do that without the assistance of the Government, and what, therefore, he would suggest to the Government in all sincerity was this, that they should withdraw the name of Mr. Justice Day. He assumed that to the Government, as well as to Members on the Opposition side of the House, it was a matter causing a deep feeling of pain that the qualifications of a Judge of the Supreme Court should be thus canvassed, in open Committee, in the House of Commons. He joined with the hon. and learned Member for East Fife in thinking that the blame lay with the Government; but the Government could put an end at once to the whole miserable wrangle if they withdrew this name with regard to which such strong differences of opinion existed. He (Mr. T. P. O'Connor) felt that very great difficulty which had been referred to by the hon. and learned Gentleman; but, after all, this Commission was to them—the Irish Members—a matter of life and death, and they could not afford to regard it as a thing to be regulated by etiquette. He must say he had the strongest objection to the appointment of Mr. Justice

Day as a member of the Commission. He did not want to go into private matters; but this, he thought, he might be allowed to say, that on this Commission there was not a single Judge who was known to have the smallest sympathy with the political opinions of the Gentleman they were going to try. [*Laughter.*] Hon. Gentlemen on the opposite side of the House laughed at that observation. Then he wanted to put this to them. Did they think it fair that a Commission which was to try Irish Nationlists should consist entirely of men whose opinions were entirely antagonistic to those of the Irish Members, the men they were to try? [*Cries of "Oh!" and Laughter.*] When he objected to the Commission as consisting entirely of learned Judges whose politica opinions were entirely antagonistic to those of the Irish Members, hon. Members opposite scoffed at the observation. They meant that an impartial Commission must necessarily be a Commission of Judges whose political opinions were the same as their own. Now, he (Mr. T. P. O'Connor) was sorry to have to enter into these matters, but he was obliged to do so by the conduct of the Government. He understood that one of these Judges, whom it was proposed to appoint upon the Commission, was what was known—he meant in his political opinions, and did not want to be taken as referring to the learned gentleman's action—as a Liberal Unionist, and that the political opinions of the two others was what was called Conservative. As to Mr. Justice Day, his hon. Friend the Member for Northampton (Mr. Labouchere) had read a statement of his at the trial of some unfortunate Irishmen tried and convicted at Liverpool of assault. He (Mr. T. P. O'Connor) had not the least doubt that the learned Judge was perfectly justified in his statement that the crime that these men were found guilty of was a foul and brutal one, and that he was perfectly justified in the sentence he passed upon them. But the learned Judge had entered into an attack upon Irishmen in general. That attack upon Irishmen in general, he observed with surprise and pain, seemed to meet with the approval of an hon. Member opposite for one of the Divisions of Belfast, and of the hon. and gallant Member for North Armagh——

COLONEL SAUNDERSON (Armagh, N.): No, no.

MR. T. P. O'CONNOR: The hon. and gallant Member disclaimed it—Mr. Justice Day was too anti-Irish even for him; but still an hon. Member opposite, representing one of the Divisions of Belfast, seemed to sympathize with Mr. Justice Day's wanton attack upon Irishmen in general. He (Mr. T. P. O'Connor) had seen Englishmen tried for offences in Ireland, and sometimes for very foul offences, and if he had happened to be the Magistrate or the Judge trying them, what would be thought of his impartiality if in open Court, in passing sentence on such Englishmen, he took the opportunity of launching forth a general attack upon the character of all Englishmen? And yet that was exactly what Mr. Justice Day had done, and that was the man who was to be selected from amongst all the other Judges of the country to take a prominent part in an inquiry in the elucidation of which the political opinions of all those concerned must have a large bearing. He (Mr. T. P. O'Connor) did not wish to go into private matters; but he thought he could repeat this, as a matter of public notoriety, that Mr. Justice Day never lost an opportunity of speaking in the strongest terms of condemnation of the action of the very Irish Members whom he was now going to try. And this, further, he (Mr. T. P. O'Connor) had been told—he hoped the statement in question was incorrect; he took the responsibility for making it, although he hoped it would be found to be incorrect—that on the occasion of the Unionist victory at Doncaster, the learned Judge received the news on the Bench, and in the most open manner manifested his delight at it. He (Mr. T. P. O'Connor) must say that he thought the Judge who could thus give public manifestation of his strong political convictions was the last man who should be selected to take part in an inquiry into which political convictions would very largely enter. He sympathized thoroughly with what had fallen from the hon. and learned Gentleman who had preceded him in his observations as to their being forced into this discussion, but the responsibility did not rest with the Irish Members. Having these convictions, they were bound to express them, and he trusted that the Government would put

an end to the unfortunate controversy by withdrawing the name of Mr. Justice Day from nomination, and making the Commission such as could be accepted by the Irish Members with respect.

MR. FORREST FULTON (West Ham, N.) said, that the arguments used by hon. Members opposite, and the way in which the proposals of the Government were being received by them, would make one imagine that this Bill was *ex post facto* legislation, introduced for the purpose of depriving the hon. Member for Cork (Mr. Parnell) of those civil rights which he had for more than a twelvemonth declined to exercise, either in England, Ireland, or Scotland. He (Mr. Forrest Fulton) must say he was greatly surprised and astonished at the strictures passed upon the name of one of the learned Judges whom it was proposed to appoint upon this Commission. He could only say that he had had the privilege of enjoying the friendship of Mr. Justice Day for many years before he sat upon the Bench. Mr. Justice Day had been the leader of his own Circuit, and, although he had been on terms of intimacy with him, he had not the faintest idea what his political opinions were. He had never heard him express any political opinion on any occasion on any subject. His (Mr. Forrest Fulton's) opinion was, that the only reason Mr. Justice Day's name had been added to the Commission was that he was a man with no political bias, and that he was of the same religious persuasion as the majority of the Irish Members. Anyone would have thought that those qualifications would have commended themselves to hon. Members opposite. What would have been said of it if the Commission had been composed entirely of members of the Protestant religion? There would have been an outcry against the composition of the Commission. [*Cries of* "No, no!"] Yes; it would have been the subject of complaint that this inquiry was initiated and conducted only by persons whose religious opinions were opposed to those of the Irish Members. As a matter of fact, he believed that there were in England only two Judges who happened to be Roman Catholics, one being Mr. Justice Day, who had been appointed to inquire into the Belfast riots. How the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) had obtained his information as to the views of Mr. Justice Day he (Mr. Forrest Fulton) could not say; but the hon. Member seemed to have obtained it in some peculiar way. It could only have been obtained by some persons overhearing conversations in which Mr. Justice Day took part. They were coming to a nice condition of things if private conversations were betrayed for Party purposes, and if a learned Judge was not to express his opinions as to whether or not certain persons tried before him deserved condemnation, or whether certain lines of action in the conduct of the affairs of the country were beneficial or the reverse.

MR. ILLINGWORTH (Bradford, W.) said, the hon. and learned Gentleman (Mr. Forrest Fulton) had prefaced his remarks with what did not seem quite relevant to this discussion. The Irish Members, in the first place, asked for a trial by their peers—that was to say, to be tried by a Select Committee of the House; and when that was persistently and wrongfully refused by the Government, their next point was still to put faith in the promises of the Government, and he hoped that some such proposal as was was now submitted would be made. The Irish Members consented to the appointment of this Commission of Judges; but having gone thus far, it was of vast importance that the House of Commons should be on its guard that the feeling and conviction did not exist in Ireland that this was to be a packed Commission of Judges. He did not wish, he was incompetent, to pass any opinion upon any of these Judges. ["Hear, hear!"] Yes; but the point raised by the hon. and learned Gentleman behind him (Mr. Asquith) was one with which he heartily agreed—namely, that the Government had departed from the precedent invariably followed in cases of this kind in not having consulted the Front Opposition Bench, in order to prevent any apprehension or misapprehension that their action was guided by a feeling of sympathy towards one of the parties to the dispute. That was the matter which the Committee would have to regard in the face of the civilized world, that was the allegation which would be made, that the Commission had been appointed entirely from one Party. The course

the Government had taken was a most deplorable departure, as he regarded it, from precedent in such cases. If the Lord Chancellor had been such an ethereal non-political kind of individual as one might be led to imagine from the action of the Government, the Government might have escaped in the declaration that they had asked him to make this nomination; but the Lord Chancellor was as much a partizan of the Party opposite as any other Member of the Government, and he, therefore, did not think the position of the Government was in any degree better on account of the intimation given to them that the Lord Chancellor had had entrusted to him the duty of making the appointment. Many people believed that the success of this investigation of the Party opposite to the Irish Members, would be as breath to the nostrils of the Government and their supporters. There was so much hanging upon this matter in a political and Party sense that the Government should have taken the greatest care to guard their action in nominating the Members of the Commission—should have taken the greatest care to have avoided all suspicion attaching to their conduct. It was not too late to improve their course even now—if they were well advised they might without any reflection upon Mr. Justice Day, but in order that the appointment might be regarded as one that the House of Commons could give its assent to, and not only to the principle, but also to the *personnel* of the Commission, an opportunity should be given of consulting the Front Opposition Bench, and taking away once and for all the grave and, as he (Mr. Illingworth) believed it, the fatal objection which would lie against the Commission as at present nominated. In this way the House would be saved the trouble and misfortune of further dwelling upon the qualifications of Mr. Justice Day, or of any other individual appointed to act upon the Commission. It was clear that, even personally, this learned Judge, Mr. Justice Day, had against him a record which was not altogether free from suspicion. He (Mr. Illingworth) was very loth to go into this matter, but surely the information and the evidence given by the hon. Gentleman the Member for Northampton (Mr. Labouchere) was of a public character. Was a Judge on the Bench to be allowed to comment in an offensive way upon the character of a whole people; and was his (Mr. Illingworth's) conduct to be called in question in raising the point in the House of Commons when it was *apropos* of the matter they had in hand —when it bore upon the acceptance of this Judge's name upon a Commission to try the same people he had denounced. He (Mr. Illingworth) ventured to say that knowing only this single instance, and not doubting for one moment its accuracy, he thought the Government would be well advised on the double ground in giving the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) and his Colleagues on the Front Opposition Bench an opportunity of being consulted, and of having some voice in the nomination of the Judges to form this Commission.

MR. FINLAY (Inverness, &c.) said, he earnestly hoped the Government would not accede to the proposal to withdraw the name of Mr. Justice Day from this Commission. It could not be done without an imputation upon Mr. Justice Day, whose name had been brought before the Committee in this way. If any reason were wanted for the refusal to accede to the proposal now made, it would be the extraordinary reason given by the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) who complained that there was not upon the Commission a single Judge who was known to entertain sympathy with the political views of the Irish Nationalist Party. Were they to appoint their Commission on that principle? This objection to the appointment of Mr. Justice Day might be regarded as a preliminary movement intended to pave the way to the proposal for the selection of some Judge who might be supposed to be in sympathy with the Irish Nationalist Party. If the hon. Member's observations did not mean that, he did not know what they did mean. He could not agree with one thing which was said by the hon. and learned Member for East Fife (Mr. Asquith), and it was this — namely, that the blame of this appointment rested with the Government. The hon. and learned Member said that the Government ought to have entered into communication with the Members of the Front Opposition

Bench and hon. Members below the Gangway on the Opposition side of the House in settling the list of names; but he very much doubted if any agreement with responsible Gentlemen sitting on the Opposition side of the House would have prevented the names put forward by the Government being subject to those guerilla attacks such as had been made upon Mr. Justice Day. A good deal had been said about the conduct of Mr. Justice Day in the course of the somewhat irregular discussion which had taken place. Mr. Day's remarks had been quoted——

MR. T. P. O'CONNOR rose to a point of Order. He wished to know whether the hon. and learned Gentleman was in Order in describing as irregular a discussion which had been conducted with the Chairman's sanction?

THE CHAIRMAN did not reply.

MR. FINLAY said, that remarks had been quoted which were said to have been made by Mr. Justice Day in sentencing persons to imprisonment in Liverpool. As to the circumstances under which Mr. Justice Day made the remarks referred to he (Mr. Finlay) knew absolutely nothing, and he did not intend, in the absence of information, to express any opinion upon them; but he would point out to the hon. Gentleman the Member for Northampton (Mr. Labouchere) that there was nothing whatever in what he had said which would in the slightest degree detract from Mr. Justice Day's impartiality as a Member of this Commission. Remarks such as those it was alleged Mr. Justice Day had made would, he should think, be objected to just as much by the strongest Orangeman as by the strongest Nationalist. The hon. and gallant Member for North Armagh (Colonel Saunderson) would object to them, he should think, just as much as any hon. Member sitting below the Gangway on the opposite side of the House. Under these circumstances, what colour was there for the allegation of the hon. Member for West Bradford (Mr. Illingworth) that Mr. Justice Day had a record which was not free from suspicion? He (Mr. Finlay) protested against that statement, and he submitted that it was putting the discussion in Committee on a platform to which it ought never to have been degraded. Everyone who knew the Judge whose name was under discussion must be aware that he would give the fullest and fairest hearing and consideration to the case, and that both sides would receive from him absolutely impartial treatment free from every taint of political prejudice.

MR. W. H. SMITH: I very much regret that it should have been necessary in the judgment of any hon. Gentleman to raise a question as to the qualifications of the learned Judge who has been named for the position which he is to fill. I have heard statements made as to his partiality which have greatly surprised me. I gave Notice, as the House is aware, last Monday, of the three names which we proposed to insert in the Bill, and up to this moment no whisper of objection as to any of the three names has reached me. It is said that we might have consulted with the other side as to the names of the Commissioners, but it might have been a difficult matter to adjust. I may say, however, following the observations which have fallen from the hon. and learned Gentleman the Member for Inverness (Mr. Finlay), that I believe Mr. Justice Day and the Judges whose names have been placed on the Paper have obtained the complete approval of the Bar of England and of everyone who has any judicial knowledge whatever. I never heard a whisper against their absolute and complete impartiality. It is possible that observations which may have fallen from learned Judges four years ago, or even private conversations which might take place with other persons, may be reported against them. That is possible; but it would be most injurious to the judicial establishment of this country if every word dropped by a Judge were to be brought up against him as evidence of unfitness and inefficiency in the conduct of his judicial duties. What is the conduct of Mr. Justice Day on the Bench? What has been his record as Counsel and Judge? Can anyone point to a single circumstance which attributes to Mr. Justice Day the slightest taint of partiality of any kind? For myself, I could not inflict upon Mr. Justice Day the insult of taking notice of statements and charges such as I have heard this evening, or of any gossip of any kind whatever. Let us know substantially of any failure on the part of Mr. Justice Day to discharge his duties on the judgment seat. Let us know of any expres-

sion of opinion or of feeling on the judgment seat on any matters which would have affected the confidence of the public in the finding which he will give. I believe Mr. Justice Day would not have undertaken the duties, which he was asked to undertake by the Lord Chancellor, if he had the slightest doubt in his own mind of his complete and absolute impartiality, if he felt the slightest hesitation as to his fitness to discharge the painful and unpleasant duties sought to be cast upon him. In all the circumstances of the case, and as at present advised, I cannot do more than ask the Committee to affirm the nomination, believing it to be a wise appointment, and an appointment justified by the position of Mr. Justice Day on the Bench. I repeat that I do not think that conversations or any opinions expressed by him at other times or in other places ought to disqualify him for the discharge of the most serious and important duties it is proposed to entrust him with.

MR. JOHN MORLEY (Newcastle-upon-Tyne): I quite understand the difficulties which the right hon. Gentleman feels in making any alteration in the composition of the Commission constituted by this Bill. But those difficulties make no difference in the judgment which I believe impartial men will pass upon the injudicious character of this nomination. I hope the Committee will believe that I am not saying one word against Mr. Justice Day. There is nothing further from my intention than to seem to cast the slightest stigma upon the reputation or character of Mr. Justice Day as a Judge. What the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) has just said of Mr. Justice Day on the Bench was equally true of him when he was at the Bar. His conduct was, and is, open to no reproach whatever, so far as I know. Nothing is further from my intention, in the vote which I am about to give, than to seem to cast the slightest slur on the judicial character of Mr. Justice Day. But I beg the Committee to notice this—that, according to the reiterated asseverations of the Government themselves, the inquiry into which Mr. Justice Day, among others, is going to enter, is an inquiry not of a judicial kind. Mr. Justice Day is not expected to act as he would act if on the Bench. [*Cries of* "Oh, oh!"] It is not I who say it—it is your own Government who have said that this inquiry is not going to be a purely judicial inquiry; and therefore, if Mr. Justice Day were to act otherwise in some respects than he would on the Bench, I, for one, should not blame him. The hon. and learned Member for Inverness (Mr. Finlay) has said that he is not surprised at the guerilla attack now being made on Mr. Justice Day, and that if other names besides that of Mr. Justice Day had been proposed, with equal certainty there would have been an attack upon them. I am amazed that the hon. and learned Gentleman should make any attack of that kind when, in regard to the two names of Sir James Hannen and Mr. Justice A. L. Smith, not the slightest objection has been taken; and if you had put any other name, or a dozen other names, which could have been suggested, instead of Mr. Justice Day, we should have avoided this painful and regrettable discussion. If you had put the names of any Judges I could enumerate, the Motion of the right hon. Gentleman the First Lord of the Treasury would have been passed without a word. I only want to say one word to justify my vote. The right hon. Gentleman said that he had never heard a whisper as to any attitude of mind on the part of Mr. Justice Day which would tend to make it be believed that this was not one of the best nominations which could have been made from the Judicial Bench. A few minutes before I thought it right to put into the hands of the Government some portion of evidence on which I shall go in thinking that the nomination of Mr. Justice Day was not the happiest that could have been made. I have received information, from a source whose correctness I cannot question—from a gentleman who has had ample and peculiar means of knowing Mr. Justice Day's attitude of mind with reference to Irish affairs, and to points that are particularly likely to come before him in this Commission. I think it justifies the vote which I shall give, and which I feel to be a vote that needs justification. ["Hear, hear!"] Yes; I admit it—I admit that to object to the nomination of any Judge of the land is an act which needs justification. But I think there is a considerable mass of evidence and a number of reasons

why the choice of Mr. Justice Day is not a happy one. I will venture to read this particular communication to which I have referred to the Committee. [*Cries of* "Name!"] I have frankly placed this communication in the hands of the right hon. Gentleman the First Lord of the Treasury. I shall not give the name to the Committee, but I must ask them to take my word for it that this gentleman is a high authority. He says—

"Mr. Justice Day is a man of the 17th century in his views, a Catholic as strong as Torquemada, a Tory of the old high-flyer and non-juror type."

That is the impression which is conveyed to men in different parts of the country. [*Cries of* "Name!"]

"He nightly railed against Parnell and his friends. He regards them as infidels and rebels who have led astray the Catholic nation. He abhors their utterances and acts; he believes them guilty of any crime."

[*Renewed cries of* "Name!"] I certainly do not intend to give the name. I have given the best proof of good faith in giving the communication to the Government themselves. In the face of a feeling of that kind, which may, or may not, be a justifiable feeling, I appeal to the Committee on grounds of common sense to say whether, when your great object is, or should have been, to have had a tribunal against which a whisper could not have been raised, especially when it could have been so easy to do so, you should have constituted it in the way proposed? I submit that you have taken a most injudicious course, and I, for one, must, with great reluctance, vote against the nomination.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): I do not think anyone has reason to complain of the manner in which the right hon. Gentleman (Mr. John Morley) has performed a task which, I am sure, was most disagreeable and unpleasant to him. But I am bound to say that when he refused to give to the Committee the name of the gentleman on whose authority the statements are made—though I quite agree that he has in the frankest manner shown the letter to the Government—I think he will feel that he has gone too far in maintaining reticence on this subject. How far it is proper for the gentleman in question to make a communication, which, I presumed, he intended to be published, and which was based, apparently, entirely on private conversations in the ordinary intercourse of social life, is a matter upon which I do not wish to offer any comment; but I must say, when Mr. Justice Day finds himself to-morrow in the position of being accused of deliberately accepting a post for which he has made himself unfit by utterances of a political kind, I think he will have a right to ask—"Who is the man who has accused me?" or, perhaps, a right to ask—"Who is the man who has traduced me?" Now, Sir, the Government, in the action they have taken in regard to Mr. Justice Day, have, I am sure I need not say to the right hon. Gentleman, no end whatever in view but that of finding a Judge of absolute impartiality—a man who has never, so far as we know, mixed himself up with Party politics of any kind whatever, and a man whose conduct in his position has shown that he not only possesses that impartiality which I hope all English Judges possess, but that he possesses also that strength of character and judicial capacity which make him fit to discharge the very arduous duty to be assigned to him. And I must point out to the House the very curious confusion of thought which ran through a part of the right hon. Gentleman's speech. He says—"I admit that he is a judicial man when acting in a judicial capacity; but in this Commission he is not asked to act in a judicial capacity. The Commission, by your own admission, is not a Judicial Commission; and, therefore, Mr. Justice Day may naturally go beyond that strict line of impartiality which we all admit he has observed on the Bench." The right hon. Gentleman in this is playing upon the word "judicial." It is true that in certain aspects this Commission differs from an ordinary tribunal of the law; it differs in its procedure. ["No, no!"] Yes; and it is intended to differ in its procedure. But it does not differ, and it is not intended to differ, with regard to the judicial spirit, the spirit of absolute impartiality and absolute fair play which ought to preside over every act, and which, I think, will preside over every act, of every Judge concerned in the inquiry. Mr. Justice Day, being a man of honour, by accepting this post, has shown that, in his opinion, at all events, he has not ren-

dered himself incapable, by any act or any statement of his, of approaching this difficult question which he will have to deal with in an absolutely impartial and absolutely judicial spirit; and, under these circumstances, in our opinion, we should be behaving with something worse than impropriety were we not to say that we adhere to the choice that we have made, with every circumstance of deliberation, and with the utmost impartiality that it was in our power to exercise. [*Cries of* "Name!" "Morley!"]

VISCOUNT WOLMER (Hants, Petersfield) said, he wished, as a private Member, to enter an emphatic protest against the course pursued by the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley). The right hon. Gentleman impressed the House, and impressed it justly, with the very grave character of the vote he proposed to give, and he endeavoured to influence the vote the Committee would give by reading an anonymous letter. It was surely an anonymous letter, as far as they were concerned, if the writer's name was not to be communicated to them. He would ask the right hon. Gentleman the Member for the Bridgeton Division of Glasgow (Sir George Trevelyan) the name of the writer of the letter. So far it was an anonymous letter, as the name of the writer had not been unfolded. The right hon. Gentleman had confided to the Government the name of the writer of the letter, but that did not absolve the 750 Members of that House.

MR. T. P. O'CONNOR: Unionist inaccuracy.

VISCOUNT WOLMER said, he was quite content to make hon. Gentlemen below the Gangway a present of the whole force of that point. If that were a specimen of the points which this hon. Gentleman expected to make in the country, he hoped the country would appreciate it. What he wished to point out was this—that the right hon. Gentleman the Member for Newcastle-upon-Tyne had put them in an utterly false position. The mere fact that half-a-dozen Gentlemen on the Front Bench opposite had been put in possession of the name of the writer of this letter did not absolve the rest of the House from their duty of giving their votes in support of the name of Mr. Justice Day. He hoped the Government would mark the attitude of the Home Rule Party towards the Unionist Party. They had only arrived at the third hour of the Committee stage of this Bill, and they had already been accused, if not directly, at least by innuendo, of endeavouring to pack this Commission. [*Cheers.*] The cheers from below the Gangway confirmed what he said. Well, then, the country would mark the trap the Unionists would have fallen into if they had agreed to the suggestion of the Home Rule Members for the appointment of a Select Committee. Whenever any point had been raised as to the admissibility of evidence, they would have been held up to execration as choosing for themselves and in their own interests the evidence that was to be brought forward; and if on the mere question of the appointment of a Judge, against whose character nobody had dared to say a single word, either in that House or out of it, they were to be held up to execration as packing that Commission, what would have been the language used—what would have been the vocabulary that would have been ransacked to describe the conduct of the Unionist majority of that House if the Committee had reported against hon. Members from Ireland?

MR. JOHN MORLEY: Mr. Courtney, the Committee seems to suppose that there is something sinister in my refusal to give the name of the writer of the letter I quoted. I can only assure the Committee that I have nothing to conceal. I am not sure that when I give the name of my correspondent it will greatly add to the means of the noble Viscount for deciding how he will vote. Does he mean to say for a moment that his vote will depend on the name I am going to give? My correspondent was a gentleman who was a colleague of Mr. Justice Day on the Belfast Riots Commission, and a barrister, whose name is Mr. Adams.

MR. SEXTON (who rose amid interruption) said, he should move that Progress be reported unless the Committee gave him its attention. He submitted that the noble Viscount (Viscount Wolmer) addressed his faculties very loosely to the case before the Committee. The noble Viscount had said that if a Select Committee had been appointed the Irish Members would have complained that that Committee was packed by the

Government; but the noble Viscount had forgotten that the Irish Members had agreed that if a Committee were appointed it should be composed entirely of English and Scotch Members. That would have satisfied the Irish Members. The noble Viscount had described the letter as an anonymous letter; but how could it be anonymous when every Member of the Government Bench knew the name of the writer before the names of the Judges, whom it was proposed to appoint on the Commission, were announced from the Table?

VISCOUNT WOLMER said, that what he had said was that the letter was anonymous to some of them.

MR. SEXTON said, it was not anonymous to the noble Viscount's confederates opposite, and if they had had any idea that there was anything in the name of the writer to sustain the argument of the noble Viscount—if they had had any idea that the name subscribed to the letter was such a name as would have detracted from the value of the statement contained in the document—there would have been nothing easier than for the Government themselves to have declared the name. He (Mr. Sexton) thought that the right hon. Gentleman the Chief Secretary for Ireland had that evening displayed more than usual of that audacity which was his chief characteristic. It would have been more decent—considering that a criminal charge founded on the verdict of sworn men was hanging over the Board of which he was the head—if the right hon. Gentleman had abstained from intruding in that debate. The right hon. Gentleman apparently thought it a reason for refraining from commenting on the character and mental tendencies of Mr. Justice Day by saying that this was not a Commission which would be bound by any ordinary rules of procedure. In this case, the ordinary rules of procedure would not apply. If Mr. Justice Day were really bound by those rules, it would be of less consequence whether he was impartial or not; but, under existing circumstances, it would be necessary to inquire into this gentleman's qualifications, because, as now proposed, he would have no other rule to govern him except his own caprice and his own hate. It ill became the right hon. Gentleman the Chief Secretary to object to the reservation of a name attached to a communication read to the Committee, seeing that every day at Question time in that House the right hon. Gentleman did nothing but read anonymous letters. The right hon. Gentleman traduced absent men, and questioned the veracity of hon. Members of that House on communications which were anonymous. As he (Mr. Sexton) understood the language said to have been used by Mr. Justice Day at Liverpool, if it meant anything, it meant that certain Irish prisoners—who were brought up before him as a Judge—charged with a shameful crime were not only guilty of crime, but that they were guilty of it because they were Irishmen. ["No, no!"] Yes; he said it was a crime that Englishmen would not commit, and that these individuals committed the crime because they were Irishmen. The reasoning faculty of the hon. and learned Member for Inverness (Mr. Finlay) appeared to be turned topsy turvey; because he said that the charge of Mr. Justice Day was a charge against all Irishmen, and that having made a sweeping charge against Irishmen as a race, he was, therefore, qualified to sit on the Commission. When Mr. Justice Day was President of the Commission which inquired into the Belfast riots, the parties appeared before that Commission by counsel, and were allowed to examine witnesses. Mr. Justice Day, however, did not allow counsel to cross-examine witnesses, except at his discretion. The First Lord of the Treasury had challenged them to refer to the conduct of Mr. Justice Day on the Bench, and he (Mr. Sexton) now did so. Mr. Justice Day said he would not allow anyone to cross-examine or examine witnesses, but would decide for himself what witnesses should be called, and he did not allow counsel to address the Court. The rights of the parties to examine were absolutely extinguished by Mr. Justice Day, so far as calling and examining witnesses was concerned. He (Mr. Sexton) did not say whether that was right or wrong; but he asked whether the appointment of this Judge on the Commission was to be considered as a sign that a similar course of conduct would be pursued. He need not follow to the end the speech of the hon. and learned Member for West Ham (Mr. Forrest Fulton); but he submitted to the hon. and learned Gentle-

man that the point he had raised as to Mr. Justice Day being a Roman Catholic had nothing to do with the case. The point of religion had nothing to do with it at all. Hon. Members on those Benches appealed to men of all forms of religious persuasion, including Protestants, and they said that the Home Secretary was not in the least agreeable to them because he was a Roman Catholic. Mr. Justice Day was on the Belfast inquiry. The Liberal Government of the day appointed three Commissioners, and he (Mr. Sexton) had asked that the inquiry should be judicial, and that the Commission should have a judicial head, and the noble Lord the Member for South Paddington (Lord Randolph Churchill) appointed Mr. Justice Day. He (Mr. Sexton) objected to the principle that Judges should be chosen because they were in opposition to hon. Members on those Benches. Mr. Justice Day had made a Report of a judicial character, which had now been issued two years, and in which he made certain recommendations, but the Government had never acted on that Report. Why had they not acted upon it? He (Mr. Sexton) said they had discredited the learned Judge by their refusal to act upon any of his suggestions, and before the House assented to the proposal for his appointment, he contended that they ought to have from the Government who appointed him an explanation of the discredit which they had thus cast upon him.

Mr. OSBORNE MORGAN (Denbighshire, E.) said, it would have been possible for the Government to have selected from the Judicial Bench some other Judge at least as well qualified, possibly even better qualified, than Mr. Justice Day. One thing was clear—namely, that this selection was objected to by every one of the men whose conduct Mr. Justice Day was to inquire into. That appeared to him to be an extremely strong point, and he should not be surprised if Mr. Justice Day, when he saw the result of the Division about to take place, saved the Government the trouble of removing his name from the Commission.

Mr. BRADLAUGH said, the hon. and learned Member for Inverness (Mr. Finlay) thought it was unfair to urge the political inclinations of Judges in a matter of that kind. The right hon. Gentleman the First Lord of the Treasury had said it would be an imputation on a Judge, when once named, to change him on such an objection, and he understood the right hon. Gentleman the Chief Secretary for Ireland to concur in the view that it was unfair to raise an imputation on a Judge on the ground of political proclivities. But he (Mr. Bradlaugh) would remind the right hon. Gentleman that in 1884 his then Leader and Colleague objected to the constitution of a Court of three Judges on the ground of the politics of the Judges who had been announced in the newspapers as forming the Court, and that thereupon the constitution of the Court was changed in consequence of the objection made.

Mr. DIXON-HARTLAND (Middlesex, Uxbridge) said, the hon. Member for West Belfast (Mr. Sexton) had sneered at the hon. and learned Member for West Ham (Mr. Forrest Fulton) because he wished to stand well with the Bench and his Circuit. The same sneer could not be applied to him. He (Mr. Dixon-Hartland) wished to say that he had had the honour of the friendship of Mr. Justice Day for a great number of years. [*Ironical Opposition cheers.*] And he said distinctly that he knew Mr. Justice Day a great deal better than Mr. Adams, who had written this scandalous letter. The feeling expressed in the letter was very strong indeed, and showed the personal animus of the writer, and it was not a judicial letter in any shape or form, or one to which the House could attach any weight. Although he had known Mr. Justice Day for so long and had conversed with him on many subjects, he was perfectly unaware of what his political opinions were. He had spoken with him on many questions, and he said distinctly that Mr. Justice Day was a man whom everyone honoured, and he regarded him as one of the best men who could be appointed on the Commission.

Mr. BRUNNER said, he had waited for a reply to the worthy speech of the hon. and learned Member for Fife (Mr. Asquith). The hon. and learned Member had said it would have been far more dignified if the Government had arranged with Members on the Opposition side of the House as to the names of the Commissioners to be appointed.

The only answer to that argument was that the names were published a week ago, and not a whisper had been made against the names of the three Judges in question; but he (Mr. Brunner) would point out that if the names had been published in the papers on the authority of the Government, and if, on representations made, the name of Mr. Justice Day had been withdrawn, the Government would not have cast a slur upon the conduct of the learned Judge. They cast a slur upon him by the course they were now pursuing, and for that reason, and because they had detracted from the dignity of the House, he should vote against the Amendment.

MR. LEAMY (Sligo, S.) said, the question to be decided by the vote they were about to give was whether the opponents of hon. Members on those Benches were to select the jury by whom they were to be tried. If a criminal charge were to be preferred by the hon. and learned Attorney General, or any other Law Officer of the Crown, against them as a whole, or individually, in an English Court of Law, the right of challenging the jury would exist for them. But the Government chose to bring them before this Commission, and at the same time they denied their right to challenge a single juryman whom they set up to try them, and Irish Members were then to be told that they must not charge the Government with jury packing. If the Government denied them the right of objecting to one of the three jurors, it was clear that they were packing the jury. It would be a packed jury, and the Irish race all over the world would know that it was a packed jury. He was not concerned with the opinions entertained by any of his Colleagues; but he grieved to say that they must be prepared, for some time at least, to find their fellow-countrymen on the opposite side of the House opposed to them. There was, however, one right hon. Gentleman opposite whom he (Mr. Leamy) would very much like to hear state his opinions on the question. He referred to the right hon. Gentleman the Member for the University of Dublin (Mr. Plunket), the descendant of a man whose name was once familiar on Irish lips, and who had fought many battles for Irish independence. The right hon. Gentleman had always been respected by them, although he had bitterly opposed them in the House of Commons, and he (Mr. Leamy) asked him what he thought of the conduct of the Government, who set up that tribunal and refused to allow Irish Members the right of challenging any one of those jurymen? They had always regarded the right hon. Gentleman as an honourable opponent, and he wanted to know whether he was prepared to stand up in the House of Commons and shield *The Times*, by supporting the proposal of the Government, after the numerous written statements that had been made? He could easily understand that the right hon. Gentleman might not care to listen to charges made from a base source; but here was a private conversation on record, which would be just as historical as the conversation on which that letter was founded by which Ireland had learned what had led to the murder of John Mandeville.

MR. W. E. GLADSTONE: Sir, strong objection has been taken to the conduct of my right hon. Friend the Member for Newcastle-upon-Tyne, and taken, indeed, from that portion of the House which we well know to be most hostile to Ireland. [*Cries of* "Oh, oh!" *and Cheers.*] Still, I think it my duty to associate myself with the action of my right hon. Friend. The state of the case is this. My right hon. Friend was possessed of information coming from a gentleman of character and knowledge, whose expression of opinion is undoubtedly entitled to consideration, because he had been called upon to act in a highly responsible position by the Executive Government of the country, and is, I believe, without any impeachment or objection whatever from any quarter. My right hon. Friend, being in possession of that information, is challenged by the Government to vote upon the question of the appointment of Mr. Justice Day, and to perform one of the most delicate and one of the most difficult offices that was ever imposed upon a man. Was it the duty of my right hon. Friend to bury that information in his breast, to disguise it, or take care, at all events, that his Colleagues in this House should know nothing of it? My right hon. Friend thought it his duty to make it known to those upon whose responsibility, and upon whose responsibility alone, the name of Mr. Justice Day is proposed. That information was received by them, and having been re-

ceived by them they, notwithstanding, considered it their duty to pass it over, if not as a matter of no account, yet as a matter which did not relieve them from the obligations under which they had placed themselves to Mr. Justice Day. Well, Sir, it appears to me that my right hon. Friend did no more than his public duty when the Government of the day, rightly or wrongly, acting on their undoubted competency, declined to attach weight to that information—he did no more than his duty in giving it to the House. And with respect to the mention of the name, it must be recollected that the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland (Mr. A. J. Balfour), in the course of his remarks, undoubtedly brought into question, at least as a possibility, the character of the writer of the letter; because he said that perhaps the writer was in error, and perhaps he would be found to have traduced the character of Mr. Justice Day—[*Ministerial cheers*]—and that is the sentiment which is readily taken up on that side of the House, and which probably finds sympathy and dissemination on this side. When the honour of the writer of the letter had so been called in question, I think my right hon. Friend acted upon the dictates of public duty in making known to the House entirely the remarkable testimony he had received. [*Cries of* "Oh, oh!" *and Laughter.*] Well, Sir, it was remarkable testimony, and I am endeavouring to explain to those who laugh and cheer that they do not appear to comprehend at present what is the purpose of this debate, and what is the position in which we are actually placed. My hon. and learned Friend the Member for East Fife (Mr. Asquith) has most justly described this as a painful, and, I will add, a most odious discussion. More than half-a-century of public life, necessarily contentious, has never once placed me in the position in which I am placed to-night. In one respect I do not share the felicity of the hon. and learned Member; he has obligations of duty or delicacy, or both, towards one of the heads of his Profession, which lead him to the conclusion that he had better abstain from any vote upon the matter, or, at any rate, that he had better refrain from expressing any opinion upon it. But that is not the position in which we stand as independent Members of this House. We have no such excuse; we have no such plea for shrinking from what, under ordinary circumstances, would be our duty. What is the state of the case? The right hon. Gentleman (Mr. W. H. Smith) proposes three names to the House, and presents those names to us for our acceptance or rejection. Either we are to accept them, or else it is said that we insult the gentlemen who bear those names. Is that a proper position in which to place us? Are we a deliberative Assembly, or are we not? I am called upon to hand over the honour and character of a considerable and indefinite number of the Members of this House to be investigated, without the safeguard of judicial rules, by certain persons, and I am told, although I am a Member of a deliberative Assembly, that if I do not accept without question the proposal of the Government I insult the persons named. I cannot escape from the duty of deliberation; I am fully responsible for the vote I am about to give. The hon. and learned Member for Inverness (Mr. Finlay) charges us, or Members below the Gangway, with desiring to obtain a Commission of our own political colour with respect to Irish policy. Is that a just charge? Is it sustained by what has taken place? The name of Sir James Hannen has been unanimously accepted by the House, and by the Irish Members, and we know perfectly well Sir James Hannen's political opinions upon this great question are entirely opposed to our own. Why, then, does the hon. and learned Member for Inverness make the charge in defiance of the evidence which was before him at the time he spoke?

MR. FINLAY: The evidence before me at the time was that which has just been stated by the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor). He said that this Commission did not contain a single Member who was known to sympathize with the political views of the majority of Irish Members.

MR. W. E. GLADSTONE: The hon. and learned Gentleman, although a most able barrister, is not a Judge. The hon. and learned Gentleman had before him not only the declaration of the hon. Member for the Scotland Division of Liverpool, but also the fact that the name of an honourable political opponent had been accepted unanimously by the House;

and it was in those circumstances that the hon. and learned Member laid his charge.

MR. T. P. O'CONNOR: The hon. and learned Member has quoted me as giving ground for his statement. But I had stated just before he spoke that Sir James Hannen was opposed to us in politics, and that, nevertheless, we did not object to him.

MR. W. E. GLADSTONE: I wish to add something to that evidence. I may be permitted to remark, looking back to the name of Sir James Hannen, and looking forward to the name of Mr. Justice Smith, that we are perfectly well aware that Mr. Justice Smith is a gentleman deliberately and determinedly opposed to our policy.

MR. W. H. SMITH: We are not aware of it.

MR. W. E. GLADSTONE: If the right hon. Gentleman has no such information, we, at any rate, are universally under the belief that Mr. Justice A. L. Smith is opposed to us along the whole line of politics, and, notwithstanding that, we make no objection whatever to his appointment. I say we make no objection, because I believe that to be the unanimous sentiment on this side of the House. My hon. and learned Friend the Member for East Fife (Mr. Asquith) has expressed his great regret that there has not been communication with the Leaders of the Opposition before these names were proposed. I wish to say, Sir, that we upon this Bench make no claim whatever of that character. We have no right whatever to expect any communication from the right hon. Gentleman; but we have a right, especially so when considering the delicate nature of nominations of this kind, and especially of this nomination, that the greatest care should have been exercised in the selection of the names to be laid before us, and that they should be names to which no reasonable and, I believe I am right in saying, no plausible objection could be taken. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland says that this is not a judicial inquiry, but that it is to be conducted in a judicial spirit, and he thinks that this is the same thing.

MR. A. J. BALFOUR: I said the machinery differed from ordinary machinery, but that the inquiry was to be governed by judicial rules.

MR. W. E. GLADSTONE: The right hon. Gentleman, as against my statement, says that the inquiry is to be governed by judicial rules. It is not because you have refused to admit into the Bill words which would have required the observance of judicial rules—I am not taking that captious and plausible objection—what I am saying is what has been stated by my hon. Friend near me—namely, that judicial rules are a powerful aid to the human judgment and to the human mind; and men are apt more or less, even on the Bench, sometimes to be swayed by feeling and prejudice. These judicial rules are a security which every upright and intelligent Judge will value beyond all price as a means of securing him against any deviation from the strict line of justice? It is asked, has Mr. Justice Day ever gone wrong in the administration of justice? No, Sir; his practice has been, in the administration of justice, guided, guarded, and aided by those judicial rules which you refuse to make a condition of the present delicate and difficult inquiry. There is all the difference between acting in an inquiry under the cover of those rules, and acting in an inquiry where the safeguard is altogether withdrawn. The right hon. Gentleman the First Lord of the Treasury, I think, said that probably if the Government had communicated with the Front Opposition Bench it would have come to nothing, and that the matter would have been associated with insuperable difficulties. I cannot admit that the matter was one of any difficulty at all. I think the probability—I do not say the certainty—is that if the right hon. Gentleman had drawn his Judges by lot, he would have done better than he has now done. I can say confidently that there are a dozen Judges or more, to no one of whom would objection have been taken. Sir, the question is not what is to be the answer to the right hon. Gentleman, when he says that Mr. Justice Day has not been convicted of any offence. Certainly not. He has not been convicted of any offence. But this is not a question of a man being unconvicted; it is a question of a man being appointed to an office of extraordinary delicacy and difficulty, in the discharge of which office he is to be deprived of the aids and safeguards under which he

has habitually acted; and what is required is that, in respect to the discharge of the duty, he should not only be without proved offence, but that there should not be any rational, nay, I would say any widespread objection, or any rational or not irrational suspicion. There ought to be no suspicion; there ought to be no possibility of objection; and if we are told that this is requiring terms too severe, my answer is that every other Judge on the Bench would have been regarded as absolutely fulfilling this objection. Now, Sir, under these circumstances, I am called upon, like others, to perform a very painful duty. I lament that Her Majesty's Government should appear to have treated this as a sort of perfunctory duty without careful, thorough, and minute inquiry. I perfectly admit that they were entitled to proceed without making any prior communication to us. That I entirely admit; but, of course, they have concentrated all the more upon themselves their full responsibility. There is the presumption brought before us that the Government must be aware that statements like those of my right hon. Friend (Mr. John Morley) and of the senior Member for Northampton (Mr. Labouchere), and even the later statement made by the hon. Member for the Scotland Division of Liverpool, disturb men's minds and impair the full and absolute confidence with which the name and the action of every one of these Judges should be regarded. Under these circumstances, I agree with my right hon. Friend the Member for East Denbighshire (Mr. Osborne Morgan) that the objection taken by the whole mass of those who are to be tried is an important element in this case. Behind them, though you may think little of that here, they have a people, and behind that people, in my opinion, they have a widespread sentiment throughout the whole range of the civilized world. [*Dissent.*] I see an hon. Gentleman opposite toss his head. [*Laughter.*] That is a very convenient method of conducting Parliamentary operations. [Mr. GEDGE here rose.] I do not refer to the hon. Member for Stockport. I refer to hon. Gentlemen who think that is the proper way of conducting this discussion, and I give them one test. Let them produce to me from the whole compass of foreign literature the name of any author of repute in any civilized land who has made an investigation, not into the Home Rule Bill, but into the relations between England and Ireland, and who comes to any other conclusion but this one—that those relations, taken in the mass, have been a calamity to Ireland and a disgrace to England. I feel that an absolute duty is laid upon me, who have no professional superiority to accuse me, to do what I can to procure justice and the certainty of justice, and to see that the administration of justice is free from criticism and suspicion; and, therefore, without at all attempting to pass any condemnation upon Mr. Justice Day, who, no doubt, is a man of character, of honour, and of competency to discharge all his legal duties, I shall give a most distinct and decided, though a painful, vote against the insertion of his name in this Bill.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I do not propose to detain the Committee for more than one moment, but there is one point which I think ought to be cleared up. The right hon. Gentleman who has just sat down (Mr. W. E. Gladstone) stated that the Government has had an opportunity of seeing this letter. It is perfectly true that after "Question time," when the Business of the House had already commenced, the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) showed the letter to my right hon. Friend; but I should like to know at what time that letter was received? I should like to know what time elapsed before the right hon. Gentleman communicated that letter to the Government?

MR. W. E. GLADSTONE: As the right hon. Gentleman apparently considers me a party to its not having been communicated earlier, I may say that I saw the letter a quarter of an hour or 10 minutes ago, before it was communicated to the Government.

MR. GOSCHEN: That is of less importance than that the Government should have seen it, if it was thought that it ought to have the slightest influence on the mind of the Government. I will assume that the latest date at which the right hon. Gentleman the Member for Newcastle-upon-Tyne could have received the letter was this morning. If

the right hon. Gentleman wished to produce the slightest impression on the Government, why did he not communicate it to the Government at once? Then it would have been possible to communicate with Mr. Justice Day, if the Government had thought that the letter deserved any consideration at all. It ought to have been put into the hands of the Government in such time that the Government could have communicated with the man whom it accused. But I want to make one last appeal to the right hon. Gentleman the Member for Newcastle-upon-Tyne. On pressure, the right hon. Gentleman said he would give us the name. Will he, on pressure, give us the date? [*Cries of* "Date?"] The right hon. Gentleman refuses to say how long he has had this letter in his possession, and why he kindly placed it in the hands of the Government just after the debate began. Why did he not place it in our hands earlier? The right hon. Gentleman the Member for Mid Lothian alluded to some dissatisfaction with the composition of the Commission on the first day when it was announced. How long after that did the right hon. Gentleman the Member for Newcastle-upon-Tyne receive this communication? However, we shall know the date some day when we have no longer to deal with it in debate.

MR. JOHN MORLEY: There is no secret about this. To the best of my knowledge and belief, I received the letter about midday on Saturday last.

MR. GOSCHEN: Under pressure the right hon. Gentleman has given the date to me. He was good enough to show the letter to us to-day. Why did he not communicate it to us earlier? It was put into our hands to influence this debate at a time when we could not communicate with the Judge. I do not do Mr. Justice Day the injustice of supposing that the letter would have influenced the Government. The right hon. Gentleman the Member for Mid Lothian has spoken of our selection of these Judges, and he appears to be perfectly acquainted with the political opinions of Sir James Hannen and Mr. Justice A. L. Smith. I can only repeat what has been stated by the First Lord of the Treasury—that we, at least, were unacquainted with those opinions. We were unacquainted with them as we are now. While we have been sitting here we have referred to see by whom they were appointed. They were appointed in 1882 and 1883 by the right hon. Gentleman the Member for Mid Lothian.

MR. W. E. GLADSTONE: They were appointed by the Lord Chancellor.

MR. GOSCHEN: The right hon. Gentleman draws a distinction between his Lord Chancellor and himself.

MR. W. E. GLADSTONE: The right hon. Gentleman said they were appointed by me. That is untrue, and it is absurd. The Prime Minister, as such, has no share in the appointment of Judges, and the Lord Chancellor is entirely responsible for the appointment. I take my share of the responsibility of our Lord Chancellor freely and willingly. But our Lord Chancellor did not, in appointing Judges, make it a condition that they should be of his own political opinions.

MR. GOSCHEN: In 1882 and 1883, then, the right hon. Gentleman did not know the political opinions of these Judges. But you expect us to know them while the right hon. Gentleman does not. We repudiate in the strongest possible way the suggestion that we had any regard whatever to the political opinions of these gentlemen. But there was one reason why these names suggested themselves to us rather than others. It was because we considered these gentlemen to be non-political Judges. Many Judges become Judges after having been Law Officers, and many Judges have been connected with political Parties. Here are Judges not connected with political Parties, who have never been in Parliament, and who, therefore, commended themselves to us as specially qualified for these appointments. We believe that we have got Judges who are looked up to by the country at large, and we trust that the Committee will endorse that view by their vote.

MR. PARNELL: The right hon. Gentleman (Mr. Goschen) says that he was not aware of the political opinions of these Judges whom he proposes to appoint as the jury to try us. I have heard the same statement from every Irish official who has ever been accused in this House of jury packing. I have heard the same statement made over and over again from those Benches opposite in reply to similar charges brought forward by us. "Oh," it is always said,

"we never knew anything about the religious and political opinions of these jurors;" but, somehow or other, it always happened that Orangemen and Protestants were put upon those juries to try Nationalists and Catholics. At any rate, the right hon. Gentleman cannot now plead that he is in ignorance of the political opinions of these Judges. He now knows that the Lord Chancellor, who, he admitted, in reply to the right hon. Gentleman the Member for Mid Lothian, is practically the Representative of the Government in this matter, and has acted for them—he now knows that the Lord Chancellor has appointed three Conservative Judges to try Irish Nationalists. [*Cries of* "No!"] Well, two Conservatives and one Unionist. It is very extraordinary how they should have taken care, this impartial Government and Lord Chancellor, who were so absolutely ignorant of the political opinions of these gentlemen—it is very curious how they should have taken care to give the minority representation on this jury to their Unionist ally. The world will know to-morrow that it is this Conservative Government's idea of fairness that Irish Nationalists should be tried upon these charges by a jury of their political opponents.

Question put.

The Committee *divided:*—Ayes 269; Noes 180: Majority 89.

AYES.

Agg-Gardner, J. T.
Ainslie, W. G.
Aird, J.
Allsopp, hon. P.
Ambrose, W.
Amherst, W. A. T.
Anstruther, Colonel R. H. L.
Anstruther, H. T.
Ashmead-Bartlett, E.
Baden-Powell, Sir G. S.
Bailey, Sir J. R.
Baird, J. G. A.
Balfour, rt. hon. A. J.
Banes, Major G. E.
Barclay, J. W.
Baring, Viscount
Baring, T. C.
Barnes, A.
Barry, A. H. S.
Bartley, G. C. T.
Barttelot, Sir W. B.
Bates, Sir E.
Baumann, A. A.
Bazley-White, J.
Beach, right hon. Sir M. E. Hicks-
Beach, W. W. B.
Beadel, W. J.
Beaumont, H. F.
Bective, Earl of
Bentinck, Lord H. C.
Bentinck, W. G. C.
Beresford, Lord C. W. De la Poer
Bethell, Commander G. R.
Biddulph, M.
Bigwood, J.
Birkbeck, Sir E.
Blundell, Col. H. B. H.
Bond, G. H.
Bonsor, H. C. O.
Boord, T. W.
Borthwick, Sir A.
Bridgeman, Col. hon. F. C.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brown, A. H.
Burdett-Coutts, W. L. Ash.-B.
Caine, W. S.
Caldwell, J.
Campbell, Sir A.
Carmarthen, Marq. of
Cavendish, Lord E.
Chamberlain, rt. hn. J.
Chaplin, right hon. H.
Charrington, S.
Clarke, Sir E. G.
Coddington, W.
Collings, J.
Colomb, Sir J. C. R.
Cooke, C. W. R.
Corbett, A. C.
Corbett, J.
Corry, Sir J. P.
Cotton, Capt. E. T. D.
Cozens-Hardy, H. H.
Cranborne, Viscount
Cross, H. S.
Crossley, Sir S. B.
Crossman, Gen. Sir W.
Cubitt, right hon. G.
Curzon, Viscount
Curzon, hon. G. N.
Dalrymple, Sir C.
Darling, C. J.
Davenport, H. T.
De Lisle, E. J. L. M. P.
Dimsdale, Baron R.
Dixon, G.
Dixon-Hartland, F. D.
Dorington, Sir J. E.
Dugdale, J. S.
Dyke, right hon. Sir W. H.
Ebrington, Viscount
Edwards-Moss, T. C.
Egerton, hon. A. J. F.
Elliot, hon. A. R. D.
Elliot, hon. H. F. H.
Elton, C. I.
Ewing, Sir A. O.
Farquharson, Dr. R.
Feilden, Lt.-Gen. R. J.
Fellowes, A. E.
Fergusson, right hon. Sir J.
Field, Admiral E.
Finch, G. H.
Finlay, R. B.
Fisher, W. H.
Fitzgerald, R. U. P.
Fitzwilliam, hon. W. H. W.
Fitz-Wygram, Gen. Sir F. W.
Fletcher, Sir H.
Folkestone, right hon. Viscount
Forwood, A. B.
Fowler, Sir R. N.
Fraser, General C. C.
Fulton, J. F.
Gardner, R. Richardson-
Gedge, S.
Giles, A.
Gilliat, J. S.
Godson, A. F.
Goldsmid, Sir J.
Goldsworthy, Major-General W. T.
Gorst, Sir J. E.
Goschen, rt. hn. G. J.
Gray, C. W.
Green, Sir E.
Greene, E.
Grimston, Viscount
Grotrian, F. B.
Gurdon, R. T.
Hall, A. W.
Halsey, T. F.
Hamilton, right hon. Lord G. F.
Hamilton, Lord C. J.
Hamley, Gen. Sir E. B.
Hanbury, R. W.
Hankey, F. A.
Hardcastle, E.
Hardcastle, F.
Hartington, Marq. of
Heath, A. R.
Heathcote, Capt. J. H. Edwards-
Herbert, hon. S.
Hermon-Hodge, R. T.
Hervey, Lord F.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hill, A. S.
Hoare, E. B.
Hoare, S.
Hobhouse, H.
Hornby, W. H.
Houldsworth, Sir W. H.
Howard, J.
Hozier, J. H. C.
Hubbard, hon. E.
Hunter, Sir W. G.
Isaacs, L. H.
Isaacson, F. W.
Jackson, W. L.
Jardine, Sir R.
Jarvis, A. W.
Jennings, L. J.
Johnston, W.
Kelly, J. R.
Kennaway, Sir J. H.
Kenyon, hon. G. T.
Kenyon-Slaney, Col. W.
Ker, R. W. B.
Kerans, F. H.
Kimber, H.
King, H. S.
Knatchbull-Hugessen, H. T.
Knightley, Sir R.
Knowles, L.
Kynoch, G.
Lafone, A.
Lambert, C.
Lawrence, Sir J. J. T.
Lawrence, W. F.
Lea, T.
Lechmere, Sir E. A. H.
Lees, E.
Leighton, S.
Lethbridge, Sir R.
Lewisham, right hon. Viscount

Llewellyn, E. H.
Long, W. H.
Lowther, right hon. J.
Lowther, hon. W.
Lowther, J. W.
Lubbock, Sir J.
Macartney, W. G. E.
Macdonald, right hon. J. H. A.
Mackintosh, C. F.
Maclean, F. W.
Maclean, J. M.
Maclure, J. W.
M'Calmont, Captain J.
Madden, D. H.
Mallock, R.
Marriott, right hon. Sir W. T.
Maskelyne, M. H. N. Story-
Matthews, right hon. H.
Maxwell, Sir H. E.
Mildmay, F. B.
Milvain, T.
More, R. J.
Morgan, hon. F.
Morrison, W.
Moss, R.
Mowbray, R. G. C.
Mulholland, H. L.
Muntz, P. A.
Murdoch, C. T.
Noble, W.
Norris, E. S.
Northcote, hon. Sir H. S.
Norton, R.
O'Neill, hon. R. T.
Pearce, Sir W.
Pelly, Sir L.
Penton, Captain F. T.
Plunket, right hon. D. R.
Powell, F. S.
Raikes, rt. hon. H. C.
Rankin, J.
Rasch, Major F. C.
Reed, H. B.
Ritchie, right hon. C. T.
Robertson, Sir W. T.
Robertson, J. P. B.
Robinson, B.
Ross, A. H.
Rothschild, Baron F. J. de
Round, J.
Russell, Sir G.
Saunderson, Col. E. J.
Sellar, A. C.
Selwyn, Captain C. W.
Shaw-Stewart, M. H.
Sinclair, W. P.
Smith, rt. hon. W. H.
Smith, A.
Stanhope, rt. hon. E
Stanley, E. J.
Stephens, H. C.
Stewart, M. J.
Stokes, G. G.
Sutherland, T.
Swetenham, E.
Sykes, C.
Talbot, J. G.
Tapling, T. K.
Taylor, F.
Temple, Sir R.
Thorburn, W.
Tollemache, H. J.
Tomlinson, W. E. M.
Trotter, Col. H. J.
Tyler, Sir H. W.
Vincent, C. E. H.
Waring, Colonel T.
Warmington, C. M.
Webster, Sir R. E.
Webster, R. G.
West, Colonel W. C.
Weymouth, Viscount
Wharton, J. L.
Whitley, E.
Whitmore, C. A.
Wiggin, H.
Will, J. S.
Wodehouse, E. R.
Wolmer, Viscount
Wood, N.
Wortley, C. B. Stuart-
Wright, H. S.
Young, C. E. B.

TELLERS.

Douglas, A. Akers-
Walrond, Col. W. H.

NOES.

Abraham, W. (Limerick, W.)
Acland, A. H. D.
Allison, R. A.
Anderson, C. H.
Asquith, H. H.
Atherley-Jones, L.
Balfour, Sir G.
Ballantine, W. H. W.
Barbour, W. B.
Barran, J.
Biggar, J. G.
Bradlaugh, C.
Bright, Jacob
Bright, W. L.
Broadhurst, H.
Brunner, J. T.
Buchanan, T. R.
Burt, T.
Buxton, S. C.
Byrne, G. M.
Campbell, Sir G.
Campbell-Bannerman, right hon. H.
Carew, J. L.
Chance, P. A.
Channing, F. A.
Childers, rt. hon. H. C. E.
Clancy, J. J.
Cobb, H. P.
Colman, J. J.
Commins, A.
Conway, M.
Corbet, W. J.
Cossham, H.
Cox, J. R.
Craig, J.
Craven, J.
Crawford, D.
Crawford, W.
Crilly, D.
Deasy, J.
Dickson, T. A.
Ellis, J. E.
Ellis, T. E.
Esmonde, Sir T. H. G.
Esslemont, P.
Evans, F. H.
Ferguson, R. C. Munro-
Finucane, J.
Fitzgerald, J. G.
Flynn, J. C.
Foley, P. J.
Foljambe, C. G. S.
Fox, Dr. J. F.
Fuller, G. P.
Gardner, H.
Gilhooly, J.
Gill, T. P.
Gladstone, right hon. W. E.
Gladstone, H. J.
Gourley, E. T.
Graham, R. C.
Grove, Sir T. F.
Hanbury-Tracy, hon. F. S. A.
Harcourt, rt. hon. Sir W. G. V. V.
Harrington, E.
Hayden, L. P.
Hayne, C. Seale-
Healy, M.
Holden, I.
Hooper, J.
Hoyle, I.
Hunter, W. A.
Illingworth, A.
Jacoby, J. A.
James, hon. W. H.
Joicey, J.
Jordan, J.
Kenny, J. E.
Kenny, M. J.
Kilbride, D.
Lalor, R.
Lawson, Sir W.
Lawson, H. L. W.
Leahy, J.
Leamy, E.
Lefevre, right hon. G. J. S.
Lewis, T. P.
Lyell, L.
Macdonald, W. A.
Mac Neill, J. G. S.
M'Arthur, A.
M'Arthur, W. A.
M'Cartan, M.
M'Carthy, J
M'Carthy, J. H.
M'Donald, P.
M'Ewan, W.
M'Kenna, Sir J. N.
M'Lagan, P.
Mahony, P
Maitland, W. F.
Mappin, Sir F. T.
Marum, E. M.
Molloy B. C.
Morgan, right hon. G. O.
Morgan, O. V.
Morley, rt. hon. J.
Morley, A.
Mundella, right hon. A. J.
Murphy, W. M.
Newnes, G.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, J. F. X.
O'Brien, P. J.
O'Connor, A.
O'Connor, J.
O'Connor, T. P.
O'Doherty, J. E.
O'Gorman Mahon, The
O'Hanlon, T.
O'Keeffe, F. A.
O'Kelly, J.
Palmer, Sir C. M.
Parnell, C. S.
Paulton, J. M.
Philipps, J. W.
Pickersgill, E. H.
Picton, J. A.
Pinkerton, J.
Playfair, right hon. Sir L.
Plowden, Sir W. C.
Portman, hon. E. B.
Powell, W. R. H.
Power, P. J.
Power, R.
Priestley, B.
Pugh, D.
Pyne, J. D.
Randell, D.
Redmond, J. E.
Redmond, W. H. K.
Reid, R. T.
Rendel, S.
Reynolds, W. J.
Roberts, J.
Roe, T.
Roscoe, Sir H. E.
Rowlands, J.
Rowntree, J.
Schwann, C. E.
Sexton, T.
Shaw, T.
Sheehan, J. D.
Sheil, E.
Simon, Sir J.
Sinclair, J.
Smith, S.
Stack, J.
Stanhope, hon. P. J.
Stansfeld, right hon J.
Stevenson, F. S.
Stewart, H.
Stuart, J.
Sullivan, D.
Sullivan, T. D.
Summers, W.
Swinburne, Sir
Tanner, C. K.
Thomas, A.
Thomas, D. A.

First Night.

Trevelyan, right hon. Sir G. O.	Wilson, H. J.
Tuite, J.	Woodall, W.
Wallace, R.	Woodhead, J.
Watt, H.	TELLERS.
Wayman, T.	Dillwyn, L. L.
Williamson, S.	Labouchere, H.

Amendment proposed, in same page, line 13, after "and," insert "the Honourable Sir Archibald Levin Smith."

Question, "That those words be there inserted," put, and *agreed to*.

MR. ANDERSON said, he desired to call attention to a word of very great importance which occurred in the clause under notice—namely, the word "allegations." It would be noticed that in this Bill words were introduced which were quite novel in Acts of Parliament, and the history of which, he supposed, they would hear from the Law Officers of the Crown. In a Bill dealing with very important questions, it was not at all desirable to use words with which they were not accustomed, which had not been previously used in Acts of Parliament. He was afraid they would not hear an explanation of the word "allegations" from the hon. and learned Attorney General, because he understood that the hon. and learned Gentleman proposed to take no part in the discussion of the Bill in Committee. That was a fact he (Mr. Anderson) very much regretted; but he supposed the hon. and learned Solicitor General (Sir Edward Clarke), or some other Member of the Government, would explain why it was that the word "allegations" was inserted in the Bill. Let him call the attention of the Committee to the difference between the meaning of the word "charges" and the word "allegations." A charge was a thing which they perfectly well understood. A charge was a well-known term, a term which was constantly being used; it meant a distinct charge of a certain thing against this or that person. The meaning of the word was perfectly well understood, and he had proposed, as one or two other hon. Members had proposed, to accentuate that meaning by inserting in a Schedule annexed to the Bill the specific charges and the names of the persons charged. He proposed to move that Amendment in its turn, unless some other hon. Member moved it before him. Now, what was the meaning of the word "allegations?" If they took the word in its broadest sense, they found it meant every statement made by the hon. and learned Attorney General in his speech in the late trial. Perhaps the Committee would allow him (Mr. Anderson) to illustrate what he meant by reference to one of the pages of the pamphlet in which were recorded the proceedings of "O'Donnell *v.* Walter." In the middle of page 92 the hon. and learned Attorney General mentioned certain charges which were brought against certain Members of the Parnellite Party, and he used this language—

> "We charge that the Land League Chiefs based their movement on a scheme of assassination carefully calculated and applied."

Those were words which were used, he believed, in *Parnellism and Crime*. They contained a distinct charge. Further on in the page, the hon. and learned Attorney General continued to read from the second article headed "A restrospect—Ireland." The words the Attorney General quoted were—

> "We have no intention of cutting the throats of our friends."

And the report of the hon. and learned Gentleman's speech went on—

> "Coming to the words 'Constitutional leaders' he again drew the attention of the jury to the quotation marks which enclosed the words, and said that 'they, of course, did not refer to the persons who appeared in Parliament, but to the people who posed as Constitutional Leaders of the Land League.'"

He (Mr. Anderson) particularly called the attention of the hon. and learned Solicitor General to the next words of the pamphlet—

> "He then read from the article Mr. Arnold Forster's description of the fruits of the Land League eloquence."

And this was the statement read from the writings of Mr. Arnold Forster, and which, of course, would come under the term "allegations" mentioned in the Bill—

> "Three score cruel murders of men and women, with mutilations, burnings, robberies innumerable; more than 10,000 outrages committed in the short space of two years and a-half, concocted and perpetrated in the interests of a cruel and illegal conspiracy."

Now, the Commission had only to read those words to find that there was an allegation made in the trial which came within the meaning of the Bill—not a charge against any person or persons,

but an allegation said to have arisen from certain speeches which had been delivered, and which, if this Bill passed in its present form, it would be the bounden duty of the Judges to inquire into. He had brought this out merely as an illustration of the kind of inquiry the Government proposed the learned Judges should enter upon. Under the term "allegations," it would be open to anybody to call upon the learned Judges to inquire into the murders which were mentioned by Mr. Arnold Forster, who, as an anonymous writer, had made the allegation put forward by the hon. and learned Attorney General in his speech. He (Mr. Anderson) was quite satisfied that if any one of the Judges were told of the magnitude of the task they had to enter upon under the term "allegations," they would, every one of them, refuse to serve. He was anxious, at that early stage of the proceedings in Committee, to show the door which was opened by the wording of the Bill. There would be many discussions unless the Government greatly altered their Bill, unless they formulated in it some method by which the wide range of subjects mentioned in the trial of the action "O'Donnell *v.* Walter" was curtailed. In the interest of justice to the persons who were to be charged under the Bill, it was absolutely necessary that there should be some specification of the charges made. He was anxious to hear what the Government had to say upon the subject; it was a subject which must be dealt with perhaps more at large in a subsequent Amendment; but, at the same time, it was one of great importance. Moreover, he would like to know who prepared the Bill? He would like to know whether the hon. and learned Attorney General prepared the Bill? He thought the Committee had great cause of complaint that upon an important measure of that kind the hon. and learned Gentleman was not to assist them in their deliberations. He presumed the hon. and learned Attorney General had assisted in the preparation of the Bill. If not, who had? He hoped the Committee would hear from somebody upon the Government Bench the reason for the introduction of the word "allegations," and that they would be told what precedent there was for it.

Amendment proposed, in page 1, line 18, to leave out the words "and allegations."—(*Mr. Anderson.*)

Question proposed, "That the words 'and allegations' stand part of the Clause."

MR. MATTHEWS said, that the Government had decided to oppose the Amendment. The hon. and learned Member had said that the word "allegations" was novel in Acts of Parliament of the sort. The hon. and learned Gentleman might possibly not find the substantive word, but he certainly would often find the word "alleged." According to the Act appointing the Commission to inquire into the Metropolitan Board of Works, the Commissioners were to inquire into the irregularities "alleged" to have taken place. Again, in the case of the Sheffield Commission, the Commissioners were to inquire into acts of intimidation, outrage, or wrong "alleged" to have been promoted, encouraged, or connived at by trades unions or other associations. That language was substantially the same as that used in the Bill. The statements in the proceedings of "O'Donnell *v.* Walter," and in the articles *Parnellism and Crime*, did not consist wholly of charges. There were, no doubt, charges, and very grave charges. He thought he had heard the hon. Member for Cork (Mr. Parnell) himself say that the charges against him personally were a minute and infinitesimal part of the charges made in the articles.

MR. PARNELL said, he never made any such statement.

MR. MATTHEWS said, he certainly had understood the hon. Gentleman to say that was alleged about him was a mere fractional part of the charges which were made.

MR. PARNELL: The words I used were "apart from the forged letters."

MR. MATTHEWS said, that if the hon. Gentleman did not say it, he (Mr. Matthews) would say it. It appeared to him that the charges against the hon. Member were a minute portion of the allegations and statements contained in the proceedings in "O'Donnell *v.* Walter," and in the articles known as *Parnellism and Crime*. There were several other hon. Members of the House against whom charges more or less serious were

made; but there were a vast number of allegations in the articles which did not amount to charges against anyone in particular. It was proposed that the whole matter of these proceedings should be inquired into—that the whole of the statements made during the trial in the action "O'Donnell *v.* Walter," and in the articles in *The Times*, should be investigated, neither more or less. He did not know whether the hon. Member would desire him to give an illustration of the allegations which were made. If so, he would refer the hon. Gentleman to page 13 of the pamphlet, *Parnellism and Crime*. It was there stated—

"We shall trace the main outlines of the movement, illustrate its principles and its working, prove that it is essentially a foreign conspiracy, and demonstrate that its chief authors have been and are in intimate, notorious, and continuous relations with avowed murderers."

Now that, in his mind, did not amount to a charge; it stated no criminal offence known to the law, but it was an allegation, an allegation, no doubt, of a very grave and serious kind. The article went on—

"How intimate those relations have been—who counselled, who connived at, who condoned individual deeds of blood—is yet unknown."

There were portions of that sentence which were not charges. The charges and allegations were mixed up in the different statements, and if they struck out the word "allegations," they would appear to shut out a great deal which it was fit and proper to inquire into. He might say, once for all, in answer to this Amendment and to others of a similar kind that were upon the Paper, that the Government did not view this in the light of a trial in which, of course, different accusations were made on the one side. The tribunal was to be appointed to ascertain the truth of statements which had been made, some of them imputing, no doubt, a shade even of criminality to a great variety of persons, some of them only imputing to various persons conduct which was not, strictly speaking, criminal, but which was more or less opposed to the moral sense of other persons. There were two sorts of shades of censures suggested in the course of these proceedings, some amounting to what would be offences at law, others amounting to other species of conduct shading off in imperceptible degrees between right and wrong. The Government would not consent to omit any part of the statements from the inquiry, neither would they add anything to what had been alleged.

MR. ANDERSON said, he had expected to hear the right hon. Gentleman quote some sort of precedent in favour of the language used in the Bill. The right hon. Gentleman told them what they all knew—namely, that the word "alleged" had been used in Acts of Parliament. Of course, the word "alleged" had been used over and over again; but they did not use the word "alleged" here—they used the word "allegations." They said that the Judges were to inquire into allegations in the cases referred to by the right hon. Gentleman. It was alleged that crimes had been committed; it was alleged that conspiracy had been engaged in; it was alleged that something else had been done. That was a totally different matter to what was stated here. According to the precedent of the Government, the words of the Bill ought to be—"It being alleged that certain Members of the House of Commons and others have committed crimes, have been party to crimes," and so on. He should have understood that. That would have been perfectly clear and intelligible. But they had said that the Commissioners were to inquire into certain allegations and charges made in a certain trial. It now turned out what these poor unfortunate Judges were to embark upon. The Judges had not to inquire simply into charges of crime or conniving at crime; but, according to the right hon. Gentleman the Home Secretary, they were to inquire into everything which was alleged during the trial of the action of "O'Donnell *v.* Walter." It was quite plain that the Judges would be asked to inquire into all the charges put forward by Mr. Arnold Forster; that they would be asked to inquire into the three score murders referred to by the gentleman he had named. The Home Secretary had said they meant the Judges to inquire not only into specific charges against hon. Members of the House and certain other persons, but into all the allegations which had been made. If the inquiry of the Judges was to be of any value, they must inquire into each one of the crimes which were said to have been brought about by the action of the Land League, or

else their inquiry would not be worth anything. Besides, the three score murders which were spoken of, there were 10,000 outrages. The learned Judges would have to inquire into each and every one of those outrages, or else their inquiries would be fruitless. Had the Government really considered what the result of this would be? They had talked about two years being occupied by the inquiry; but it seemed to him that, if the inquiry was to be completed, 20 years would be occupied by it. Again, he had to remark that there was no Law Officer of the Crown present. He did not consider the Committee was being treated fairly. Where was the hon. and learned Solicitor General for Scotland? One of the Law Officers had better be sent for to confer with the Home Secretary, and see whether some blunder was not being made by the Government. It was quite possible that to-morrow they would be told that, in the absence of the Law Officers of the Crown, the Home Secretary had gone further than the Government intended. He was satisfied that hon. Members would in time perceive that the Home Secretary was leading the Judges into a vast and boundless inquiry; and from what he knew of the learned Judges, he would not be surprised if they each said—"We will have nothing to do with such an investigation."

MR. MOLLOY (King's Co., Birr) said, he desired information from the Home Secretary as to the meaning to be attached to the words "The Commissioners shall inquire." Was it to be understood that the Commissioners were to be bound to inquire? Was it part of the duty imposed upon them that they should and must inquire, or was it intended that "shall inquire" should be taken as equal to "may inquire?" It seemed to him that if the Commissioners were to be told that they "shall," or, in other words, that they "must" inquire into all the charges, there was no need whatever to use the word "allegations." The investigation of any one of the charges made would occupy six months. Suppose a certain Member of the House was present at a meeting in New York, at which certain expressions were used which would justify anyone reading them, or hearing them, saying that that was a meeting of men to incite to the committal of outrages. If the Judges must examine into such things, it would be seen that such examinations would take an exceedingly long time. These charges were sown broadcast, they were literally innumerable; and what he wanted to know, before the discussion went any further, was whether the interpretations to be put upon the words of the Bill was that the Commissioners should not have any discretion as to the charges into which they were to inquire, but that, under the Bill, they were bound as a part of their duty, which they could not escape from, to examine into each and every one of the charges made.

MR. MATTHEWS said, that the words "each and every one" were not in the Bill. The learned Judges would use their discretion to a large extent in inquiring into the substance of what was alleged and charged in the proceenings of "O'Donnell *v.* Walter." Of course, the words were mandatory in the case of every Commission. In the case of every Commission, Commissioners were bound to inquire and bound to report; but, of course, they were left to exercise their own discretion as to what was the substance and marrow of the point at issue.

MR. MOLLOY said, that the words were that "The Commissioners shall inquire into and report upon the charges," not such charges that they might think proper, or some or any of the charges; and what he wanted to know distinctly from the Home Secretary was whether it was to be understood by the learned Judges that each and every one—he was not now quoting the words of the Bill—that each and every one of the charges and allegations extending over a period of 10 years should be inquired into, or whether the Judges were to be in a position to take up books and pamphlets and such statements in the speech of the hon. and learned Attorney General as they thought proper? Were the learned Judges to be permitted to select for themselves what they regarded as the salient points to be examined into; or were they to be in the position to say, "We have no discretion in the matter; we are bound to examine into each and every one of the charges made?" That was certainly a matter which ought to be settled before they went any further.

MR. MATTHEWS said, that under the Bill, as drawn up by the Government,

it appeared to him that the Commissioners would have every discretion. The Bill, as amended in the direction hon. Members desired, would give the Commissioners no discretion, but would require them to inquire into every charge specified in the Schedule. The hon. Members had proposed to insert in the Schedule a variety of distinct charges; in that case, no doubt, the Commissioners would have no discretion. The Government, on the contrary, had framed a Bill which left it to the Commissioners themselves to extract from the proceedings in the trial of "O'Donnell *v.* Walter" what they conceived to be the charges and allegations made therein. Of course, that meant the material charges and allegations. The hon. Member asked him what would the Commissioners do? His answer was, that the Commissioners would act like men of sense and of judgment, and extract the substantial charges. He looked upon these proceedings as containing one charge in substance—namely, that a so-called Constitutional Party had relied upon, rested upon, made use of, to a degree not defined, and had been the accomplices of a violent Party. Let him assume, for the purpose of argument, that complicity with murder on the part of any Member of the Parliamentary Party was proved. The Commissioners might say, "We want to know more;" or they might say "We are satisfied;" or they might say, "For the purposes of the Report we should like to know whether you can establish complicity in any other case?" On the other hand, there might be 10 cases of alleged complicity, and the Commissioners might say, "If you want to find complicity you must prove something else." The inquiry would be conducted by the good sense of men who knew what they were doing. He viewed that as only one single charge, ramifying, no doubt, in details, according to the incidents adduced in evidence—namely, an alliance amounting to complicity between two sets of people.

MR. SEXTON said, it appeared to be quite plain that if the counsel for "Walter and another" appeared before the Commissioners, and desired to offer evidence in support of any allegation whatever contained in the report of the trial, and if the Commissioners refused the evidence, no matter how frivolous, all the counsel would have to do would be to turn to the Act of Parliament and say—"You are ordered by the Act of Parliament to inquire into the charges and allegations made in the trial of the action "O'Donnell *v.* Walter and another." This is one of the charges and allegations made, and I call upon you to hear me in regard to it, and to hear evidence." The Commissioners, moreover, would have no reply to make. They would be obliged, by the terms of their mandate, no matter what their judgment might dictate, to enter upon the inquiry. He stated, in opening the debate early in the evening, that the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) was a good authority as to the intentions of the Government, and his prediction had been verified sooner than he imagined, because the Home Secretary used precisely the same phrase in indicating the nature of the inquiry which the right hon. Gentleman the Member for West Birmingham used on Saturday at his garden party. The Home Secretary said that to inquire did not mean to deal merely with crime nor with criminality, but to deal with various transactions shading off by imperceptible degrees between the line of white of the blameless man and the line of black of the criminal. That was not what the public understood. The public wanted to know whether certain men in the House of Commons and out of it were guilty of crime or whether they were not. The public knew nothing and cared nothing about the Government's shades and refinements and artistic developments. If the theory of the Home Secretary was to be carried, the Commissioners would have to report by means of a coloured map. What did the public care about all this nonsense? They wanted to know if public men were guilty of crime. Let them remember how this inquiry sprang up. The First Lord of the Treasury had described the Bill as an offer made in response to a demand. The demand was that of the hon. Member for Cork (Mr. Parnell). His hon. Friend, as a Member of the House of Commons, asked the House to inquire and determine whether or not he (Mr. Parnell) was guilty of sanctioning or of signing letters which suggested or procured the commission of murder, or which encouraged murder. To that other charges had been added. Was it

to be thought that whilst Members of the House were waiting and whilst the country was waiting eagerly and anxiously to learn whether Members of the House of Commons were to be identified with crime or not, this Commission was to go roving over the country and over the world to ascertain whether a variety of allegations which were found scattered up and down in the articles of *The Times*, and in the speech of the hon. and learned Attorney General, in forms of language more or less indirect, were true? That was the point. He certainly thought that the country would expect that the Commissioners should proceed upon the grave charges. When he and his Friends asked the House for some guidance as to the charges which were to form the subject of the inquiry, they were referred to the summing up of the Lord Chief Justice. The Home Secretary had quoted the Lord Chief Justice, and the hon. and learned Solicitor General, in reply to the demand for a definition of the charges, referred the House to the speech of the Lord Chief Justice, in which the hon. and learned Gentleman said they would find definitions. He (Mr. Sexton) had turned to the charge of the Lord Chief Justice to the jury in the case of "O'Donnell *v.* Walter," and he found that the learned Judge said, in referring to the series of articles published under the title of *Parnellism and Crime*—

"They run over about 60 pages, and contain a great variety of statements deeply incriminating a number of persons—Members of Parliament and persons who are not Members of Parliament, but who are well known to the world as prominent men."

That referred to charges, not to allegagations. Those persons were accused of crime, and abominable crime. It was surely not a matter of allegation. He found that as the Lord Chief Justice came more closely to the question, and dealt with the crime which he considered to be charged against the persons affected in *Parnellism and Crime*, his Lordship said—

"The charges made against them were charges of complicity with crime; that they shut their eyes when crime was contemplated, that in some cases they actually knew that murder was going to take place, and that on other occasions they were present when murder was being talked about, and did not disavow it."

He (Mr, Sexton) protested against the endeavour indefinitely and uselessly to extend the already almost boundless scope of the inquiry. He could not for the life of him understand why the Government clung so fondly to the word "allegations. Had they not charges enough in *Parnellism and Crime*? He placed the Government in this dilemma —either the allegations into which the Commission would inquire were charges, or they were not. A charge was an accusation, an allegation was only an assertion. Either the allegations were charges, or they were not. If they were charges, there was no necessity for the word "allegations," because the word "charges" covered the ground. Why was the word "allegations" introduced? It was quite plain from the debate on the second reading that the Government had already come to the belief that the letters attributed to the hon. Member for Cork were forgeries. Those letters had been the subject of very passionate accusation by *The Times* in the course of the last 12 months. Why did the Government push them into the second rank, because, if the letters were genuine, they would prove the hon. Member for Cork to be not only a knave, but a fool? The Government unquestionably believed the letters to be forgeries. They were not anxious to inquire into crime. They were anxious to delay the decision of the Committee. They had traded upon these false charges for the last 12 months. They had pushed them forward at every bye-election, through the mouths of the hon. Member for South Tyrone (Mr. T. W. Russell) and the hon. and gallant Member for North Armagh (Colonel Saunderson), and now they were anxious to put off the evil day when the electors would discover how they had been defrauded. He maintained that the House did not want, that no lover of justice wanted, that no honest man wanted, that the country did not want, that they should follow the scribes of *The Times* through all the various forms of innuendo and suggestion in *Parnellism and Crime*, but that they should simply take out the charges involving crime or criminality, and ask the Commission to come to a decision upon them, and upon nothing else.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

COLONEL NOLAN (Galway, N.) said, that the absence of the Law Officers of the Crown at the beginning of the discussion had been commented upon. Well, he noticed that whenever a Government brought in a Bill full of anamolies and proposals which could not be defended from a legal point of view, the Law Officers absented themselves, and did not come back unless someone attacked them, when they made their appearance to defend certain clauses in the capacity of advocates. No doubt, since the hon. and learned Gentleman had commented upon the absence of the Law Officers of the Crown, the Committee would have a speech from one of those Law Officers. Though the right hon. Gentleman the Home Secretary himself was a lawyer, and one of considerable eminence, still they could not help recollecting that he sat here as a Member of the Cabinet, and not so much as a Law Officer. The right hon. Gentleman had to admit that on no similar occasion had the word "allegations" been inserted. However, in defending it he had said that certain crimes and offences had been alleged against the Irish Party—he said that murder had been alleged against certain men, and that where murder were alleged it was the substance of the charge, but that where the word "allegations" was used it might mean anything. The right hon. Gentleman had given them no specific direction as to what the word meant; but he had stated generally that it shodded down from murder to perfect innocence—a most extraordinary thing for the right hon. Gentleman to say, as it implied that perfect innocence might, as a question covered by the word "allegations," be inquired into by a Commission. Now, the ordinary military court martial was a very good tribunal in its way, though, from the point of view of law, it was the roughest and readiest Court imaginable. But a court martial never took into account such things as "allegations." It was necessary that there should be a specific charge, and it was the same, he believed, in the case of naval courts martial; and why in the present instance they should have a new word embodied into legal inquiry, he was at a loss to imagine. He considered the proposal a most outrageous one. The Government should declare openly that their object was to try the whole Parnellite Party. The right hon. Gentleman the Leader of the House (Mr. W. H. Smith) had got up on a previous occasion, and had charged the whole Party with being connected with that which he called the Party of violence. No doubt, there was a Party of violence; but the Party to which he (Colonel Nolan) belonged had no connection with it. But what did the right hon. Gentleman's ally, *The Times*, mean when it referred to the Party of violence? Why, *The Times* meant—and it was their allegation that would be inquired into—that the word was synonymous with the American Party. The use of this word "allegations," therefore, would enable the Commission to go into the question of the connection of the Irish Members with the American Party, 99 in 100 of whom were in favour of Constitutional Home Rule, the remaining fraction, being all there was in favour of any violent measures whatsoever. The Commission would attempt to try the party of violence and the Irish Party on the same evidence and on the same lines. In point of fairness, this word ought never to be left in the Bill. No doubt, the right hon. Gentleman the Home Secretary would be supported by a majority of 80 or 90 Members, and would be able to carry the word. So far as the whole Bill was concerned, if it had been proper for an Irish Member to have acted in his own individual capacity on this question, he (Colonel Nolan) should have opposed the Bill upon his own responsibility, as he believed it was used for one purpose only—the purpose for which this word "allegations" was inserted. The object of the Government was to have the Irish Party—and, through the Irish Party, their supporters and protectors, the great Liberal Party—during the Recess, pilloried before the constituencies at every Conservative meeting of the country. Attempts would be made to make capital out of them, and every act of the Irish Party would be brought forward and commented upon in order to divert the attention of the public from the extremely bad administration of Her Majesty's present

advisers. This Commission was a God-send to the Government for electioneering purposes, and for the sake of having this political weapon the Government refrained from bringing specific charges against anyone. They knew perfectly well that if they brought specific charges, though those against whom such charges were made would be put to some disadvantages for a month or so, at the end of that time they would be able to disprove the charges. The Government knew that hon. Members would be able to meet the charges, but now they wished to establish a packed Commission—because any Commission must be considered packed when the whole Opposition had voted solid against one-third of those constituting it—which would be able to inquire into every possible allegation made by *The Times* against the Irish Members simply for the purpose of blackening the Opposition and keeping Her Majesty's Government in Office. In one way he (Colonel Nolan) felt a certain amount of pity and regret for the hon. and learned Gentleman the Solicitor General for England (Sir Edward Clarke), whom he supposed was going to support the proposal of the Government—the hon. and learned Gentleman could not help supporting it after the somewhat injudicious remarks of the hon. and learned Gentleman who had dragged him in at this point. He (Colonel Nolan) was very sorry for him, because by his lawyer-like instincts he must be against bringing anomalies of this kind into legal procedure. The hon. and learned Gentleman would have to forget all his literary instincts—and he had shown on more than one occasion before he occupied the post of Solicitor General that he did possess such instincts—he would have to forget all these instincts in supporting the retention of this word "allegations" which was merely used for Party purposes. There was no disproving an allegation—it was too wide to attempt to disprove. He (Colonel Nolan) should look with some curiosity on a Division which he had no doubt would take place upon the retention of this word, and if none of the Conservatives showed their disapproval of its retention, all he could say was, that they were very good Party men, but that they were, at any rate, men whom he should be very sorry to be tried by if any question affecting politics entered into the subject matter of the trial. If the question in dispute were, for instance, the ownership of a certain house, he should think the Commission proposed would be a very good one to undertake to adjudicate, but when it came to inquiring into political matters, to give a reference to a Commission of this kind with the word "allegations" in it, it would be found that the Commissioners would be guided by the tone of English society. Why, it was something of this kind—"I hope these persons will be convicted of murder." English society were not anxious to find out whether or not certain Irishmen had been guilty of murder, but they were anxious to fix the stigma of connection with Fenianism upon the Irish Members. The whole of the London Press had taken that tone. He was not speaking of Conservatives in the House of Commons, for they habitually came into contact with Liberals and Irish Members, and knew that a great deal of this talk was nonsense, but he spoke more particularly of the average Conservatives outside the House.

SIR WILLIAM HARCOURT (Derby): Before we go to a Division on this question I am anxious to hear from the hon. and learned Gentleman the Solicitor General (Sir Edward Clarke) what is his opinion of the difference of the meaning of the two words "charges" and "allegations." These two words are put in here, the most important and enacting part of the Bill dealing with what the Commissioners are to inquire into. What is the object of the word "allegations?" It must mean either the same thing as "charges" or something different. Does it mean the same thing? If it does there can be no objection to dropping it, and if it means something different, I think we have a right to demand some enlightenment as to the meaning of this word.

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth): I am very much flattered indeed at the anxiety displayed by hon. and right hon. Gentlemen opposite to know what is my opinion on this matter. I think it is most important and just that the words "charges" and "allegations" should both be used. The object of this Amendment is perfectly clear. It is to confine the inquiry of the Commissioners to certain definite charges; and if the

Committee were to agree to strike out the word "allegations" they would go part of the way towards achieving the object of the Proposer of the Amendment, which is to require a definition to be put in a schedule of the charges which are made. The Government decline to become parties to, or to make themselves responsible for, any definition of the accusations with which the Commissioners will have to deal. [*Cheers.*] I am extremely glad to see that the consistency of their conduct in the matter is recognized on the other side of the House. They have said—"There is no accusation made by the Government. There are charges and allegations in these articles, under which for a very long time hon. Members have been content to rest quiet." Now it is proposed to establish a tribunal, which, in its personal composition, is I believe deserving of absolute confidence. ["Oh, oh!"] I do not say that it is so in the judgment of the hon. Members opposite; I say for myself what I believe. That tribunal is to examine into what has been said, has to examine into the charges and allegations made, and it is important that these words should be put in, for this reason—that, if the inquiry were confined to charges, at any point in the inquiry anybody appearing before the Commissioners might say, "To which charge against a particular individual is this piece of evidence directed?" It is important that that limitation should not exist. [*Cheers.*] It is important that that limitation should exist. [*Renewed Cheers.*] Those cheers are fainter. It is important that that limitation should not exist, for this reason—that there are many matters which may have to be proved, and can be proved before the Commissioners, which it is essential that they should examine into, in order that they may get to the bottom of the matter with which they have to deal, but which, at the moment the investigation is taking place, no one can point to as a charge against a specific individual. This is not a judicial tribunal—[Sir WILLIAM HARCOURT: Hear, hear.]—I think, at least, the right hon. Gentleman might have learned the fairness of waiting until a sentence is concluded before he cheers. I was saying that this was not a judicial tribunal for the purpose of deciding a litigated question between two parties, but a judicial tribunal for the purpose of examining matters which are of very great public importance, and which do involve the repute, in the largest sense of the word, of hon. Members of this House. It is therefore important, with these articles before them, as well as the matters which had been alleged in the case of "O'Donnell *v.* Walter," that these Commissioners should have power of investigating every statement and allegation that has been made, and seeing to whose guilt, if to anybody's, the proof of those statements shall point, without being bound by a limitation to any specific accusation or charge.

SIR WILLIAM HARCOURT: I think that the explanation we have just received is a very valuable one. It makes it quite plain why this word is put in. We are told by the hon. and learned Solicitor General that this is not a judicial inquiry against any individual.

SIR EDWARD CLARKE: No; I said this was not a judicial inquiry between two parties.

SIR WILLIAM HARCOURT: If this is not a judicial inquiry between two parties why in the world is the action of "O'Donnell *v. The Times*" introduced? It is quite true it is not to be a judicial inquiry—that is the very pith of the whole thing.

SIR EDWARD CLARKE: I never said so.

SIR WILLIAM HARCOURT: No; the hon. and learned Solicitor General very adroitly avoided that point. I will show exactly what the hon. and learned Solicitor General meant. The word "allegations" is to prevent the application of any particular charge. That is a point, and a most important admission itself. Now, it is of the very essence of a judicial proceeding that evidence should be adduced and addressed to some particular charge; but the object of all this is to escape from the whole judicial character of the Bill. It is too late to adduce it in any kind of loose farrago of calumny, unrestrained by any of those principles which lie at the foundation of all justice—namely, that evidence shall be produced for the purpose of addressing it to some charge or other, and we have the confession of the hon. and learned Solicitor General that the Commissioners will be at

liberty to investigate charges which no one as yet has ever seen, although in the words of the Lord Chief Justice, quoted so frequently by the Front Bench opposite, they form "a terrible indictment." "A terrible indictment" is the language of a charge and not the language of loose gossip which the Government endeavoured to impress in this word "allegations." Therefore, we have it from one of the Law Officers of the Crown that the very object of this word is to escape the principles of a judicial inquiry—to escape having to give evidence of specific charges made. The hon. and learned Solicitor General says that this Amendment is to be opposed, because it is connected with a subsequent demand to put specific charges into a schedule; but the two things are separate. You may leave out "allegations," and yet you may have specific charges in the schedule, or you may have "allegations" in the Bill with specific "charges" also in the schedule. The question is, whether the Government fairly and honestly mean to investigate certain charges against individuals or merely desire to introduce a general system of dirt throwing—of throwing promiscuous calumnies—before the Commissioners, in order that some of it may stick. Did they wish to escape the ordinary rules of procedure by which means characters are protected from slander and calumny, in order that their actions in throwing dirt may be uncontrolled? I am sure the hon. and learned Gentleman the Solicitor General will not say that the rules which long practice and tradition have discovered in English jurisprudence as being the best means of administering the law are unnecessary. Why are these rules adopted? Because experience has shown that they are the best way of resisting calumnies against which men may have no means of protecting themselves, and yet we have the confession of the hon. and learned Solicitor General that it is to escape from the application of such rules that these words are put in. I confess that until we have some better and more reasonable—I was almost going to say more decent—explanation of the word "allegations," we ought not to be a party to its appearance in the Bill.

MR. J. O'CONNOR (Tipperary, S.) said, he could not help thinking that the Government was somewhat floundering in its definition of this word "allegations." They had had two definitions from hon. and right hon. Gentlemen opposite which he did not think tallied the one with the other. The right hon. Gentleman the Home Secretary said it would rest with the Judges to say what were the allegations to be inquired into—he had said that they would be taken from the speech of the hon. and learned Gentleman the Attorney General (Sir Richard Webster) in the recent case of "O'Donnell *v.* Walter." He had said that these allegations would be material to come under investigation, and he had stated also that if these charges were proved it would substantially amount to complicity with crime. Now, would it be defined in this Bill, or would it be defined in the instructions to the Commissioners what these allegations were which would amount to complicity of crime? The right hon. Gentleman also said, in answer to speeches on the other side of the House, that certain hon. Members amongst the Irish Party, although themselves engaged in the Constitutional movement, were associated with persons engaged in a movement of an entirely different character, and he mentioned in particular Mr. Patrick Ford, the editor of *The New York Catholic World*. But he (Mr. J. O'Connor) should like to know what amount of acquaintance with Mr. Patrick Ford would amount to complicity with crime on the part of the Irish Members. He was perfectly familiar with *The New York Catholic World*, and for a long series of years he knew that a list of subscriptions towards the conduct of the Constitutional movement in Ireland had been printed, whilst in the same paper from time to time were contained articles which might be construed into an incitement into the commission of outrages, or to the use of dynamite. Would hon. Members on that (the Opposition) side of the House be held responsible for those articles, because forsooth, lists of subscriptions had appeared in the columns of that paper? Members upon that side of the House were the conductors of a Constitutional movement in Ireland. They did not guide or conduct *The New York World*,

nor could they help their friends in America sending their subscriptions to them through that paper. They had no control in the matter——

THE CHAIRMAN: I fail to see how the observations of the hon. Member are relative to the Question "That these words stand part of the Clause."

MR. J. O'CONNOR said, that he was of opinion that the word "allegations" ought to be expunged from the Bill altogether, or it ought to be defined. The word ought to be defined in a schedule, or if it were not he did not think it should be left for the Judges to say in what the allegations should consist. He had been about to state one case where it would be possible for misunderstanding and misrepresentation to take place. It had been pointed out by the right hon. Gentleman the Home Secretary, in his speech, that an endeavour would be made to prove that hon. Members on that (the Opposition) side of the House were in communication with those who incited to outrage. For purposes of illustration, he might say an endeavour would be made to show that the Irish Members had been in communication with Sheridan and Patrick Egan in 1881 and 1882, and that these men at the time were engaged in questionable enterprises. [*Cries of* "Order!"] If he (Mr. J. O'Connor) was not in Order in going into this matter, he failed to see how the right hon. Gentleman the Home Secretary could have been in Order in his speech. The right hon. Gentleman had said that it would be established before the Commission that the persons charged in the case of "O'Donnell *v.* Walter" had been in company with those who had incited to outrage in Ireland, and he (Mr. J. O'Connor) was endeavouring to point out that it would not be fair to leave it to the Commissioners to say whether or not Irish Members had been associated with such persons, knowing them to be criminals.

THE CHAIRMAN said, the hon. Gentleman misunderstood the Question before the Committee, and was not at all addressing himself to the point.

MR. WHITBREAD (Bedford) said, it seemed to him that this was one of the most important points of the Bill, and he did not think it should pass without a little more comment. The comment he would make was this, that after the very frank statement they had heard from the hon. and learned Solicitor General (Sir Edward Clarke) they now knew where they stood. This was not a Bill to enable hon. Members from Ireland to meet any charges against themselves. "No," said the hon. and learned Solicitor General, "that is too concrete a matter; we must have something looser than that. There are many charges that can be inquired into without making a specific charge." Then do not let hon. and right hon. Gentlemen opposite go to their constituents and say that they had offered these Irish Members an opportunity of meeting charges brought against them. The object of this Bill was not to enable these Gentlemen to meet charges, but to compel them to stand in the pillory to receive every filthy thing which their opponents could throw at them in their contempt, in the hope that some of it might stick, and then, if they found that some of it stuck, they would formulate their charge. He (Mr. Whitbread) had said on a former occasion that he thought this a fair tribunal if the charges were defined; but the proposal of the Government was not justified. It was asking men to stand in this position and offering a temptation to bring evidence against them. The Government invited every man who was conscious of having taken part in outrage to come and give evidence—they said in effect that if such people would only come and swear hard enough against these Irish Members they would get whitewashed. He did not know any ordeal which any body of men could pass through more terrible than that which was proposed under this Bill. He (Mr. Whitbread) and his Friends were in a minority, and could not by their votes enforce their ideas of justice; but, at any rate, they would take care that neither the Government nor the country should be ignorant of what they thought of this procedure.

MR. FINLAY said, he apprehended that the hon. Member for Bedford (Mr. Whitbread) could hardly have read the words that this discussion was taking place upon. Every one of the hon. Gentleman's observations would have been just as applicable if the word "charges" stood alone. But what was meant was not any charges of actual crime, but various charges which did not amount to actual crime, but still which were matters of such a nature

that hon. Gentlemen below the Gangway would be anxious that they and their friends should have the opportunity of full investigation into them. He protested in the interest of a full investigation against confining the inquiry to charges of actual crime at law. It had been said that knowing that certain men were criminals, hon. Gentlemen below the Gangway had maintained friendly relations with them, and had received money from them. Did they or did they not desire that such matters should be inquired into? It was not, so far as he was aware, a crime; but, at any rate, it was a matter which he should think hon. Gentlemen would be most anxious to clear themselves of. Both the country and the House desired that this inquiry should be a complete one, and he was, therefore, surprised that so much time should be wasted upon this question.

SIR WILLIAM HARCOURT said, there was a complete answer to the hon. and learned Gentleman the Member for Inverness (Mr. Finlay), and whose only object seemed to be to prevent the application of law and justice to the case of the inquiry about to be instituted. Under the circumstances, he (Sir William Harcourt) was a little astonished that the Government had not made the hon. and learned Gentleman the Member for Inverness one of the Commissioners. He (Sir William Harcourt) thought the hon. and learned Gentleman ought to be the head Commissioner. Now, had it been proposed, or was it desired, that in any way the charge of complicity with crime should be evaded? He was astonished that the hon. and learned Member for Inverness should stand up and say that the word "charge" necessarily involved a charge of complicity with actual crime. It would be seen in Amendments standing in the name of hon. Members themselves and dealing with crimes and outrages, that they were anxious to meet all the charges which properly would be brought against them. They invited inquiry as to whether they had been guilty of the crime of murder or crimes of violence, and whether there was any truth in the charge that they had been guilty of complicity with these crimes in any form or shape, and, therefore, the statement of the hon. and learned Gentleman the Member for Inverness was absolutely in contradiction with the facts which he must be perfectly aware of. The word "charge" did not mean a charge of actual crime. It meant a charge of complicity with crime, or condonation of crime if they liked, but it meant a "charge," and a charge meant a definite accusation. That was a difference between "charge" and the vague, loose, and unjust accusations which the Government desired to bring forward under cover of the word "allegations." [*Interruption.*] When the hon. Gentleman the Under Secretary of State for India (Sir John Gorst) had made up his mind to allow him (Sir William Harcourt) the ordinary courtesies of debate, he would proceed with his observations. They were used to such conduct from Gentlemen sitting on the Front Bench. [*Cries of* "Order!"] Yes; order was exactly what he wanted.

THE CHAIRMAN: Order, order!

MR. J. G. TALBOT (Oxford University): I rise to Order. I wish to know whether it is in Order for the right hon. Gentleman to declare that an hon. Member of this House is committing a breach of the ordinary courtesies of debate?

THE CHAIRMAN: It is open to hon. and right hon. Gentlemen to meet that charge.

SIR WILLIAM HARCOURT said, that he was sure that the hon. Member for the Oxford University (Mr. J. G. Talbot) was always conspicuous for his courtesy towards his opponents; and if he would use his influence with the hon. Gentleman the Under Secretary of State for India to induce him to be guided by the same spirit he (Sir William Harcourt) would go on. [*Cries of* "Go on!"] Yes, he was prepared to go on. [*Interruption.*] He had to ask the Chairman if he would endeavour to procure for him a hearing?

THE CHAIRMAN: If the right hon. Gentleman will proceed, no doubt he will be heard.

SIR WILLIAM HARCOURT said, with that assurance from the Chairman he would go on. [*Interruption.*] He hoped what had fallen from the Chairman would have its effect. He thought it was high time that they should have an understanding with the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen). They were engaged in a discussion in which a good

deal of feeling had been introduced, and he thought it would be a good thing if the right hon. Gentleman the Chancellor of the Exchequer would either use—[*Cries of* "Order!"]—He was in perfect Order, and if he was not, he should be glad to be told of it by the Chairman. He was going, however, to insist upon the ordinary courtesies of debate being extended to Members of that House. The objection he had been taking when interrupted was to the word "allegations," especially as it had been expounded by the hon. and learned Gentleman the Solicitor General. They had asked the hon. and learned Gentleman to explain how the word "allegations" differed from the word "charge," and the hon. and learned Gentleman had told them frankly that the word "charge" meant a direct accusation, to which evidence must be directed.

SIR EDWARD CLARKE: I did not say anything of the kind.

SIR WILLIAM HARCOURT said, he should be glad to give the hon. and learned Gentleman an opportunity of saying what it was he did say. What he (Sir William Harcourt) had said was, at any rate, the impression produced upon his mind; and, in the absence of any further explanation from the hon. and learned Gentleman he would point out that he had asked him to state the difference between an allegation and a charge, and that the hon. and learned Gentleman had distinctly said that a charge was a distinct accusation to which the evidence adduced was to be directed, but that that was not what the Government desired—that they wished for something much larger and more extensive than that. He understood from the hon. and learned Gentleman that the Government desired that evidence should be taken on any subject whatever, whether applicable to any charge or not. What was the answer attempted by the hon. and learned Member for Inverness? Why, he said—"Oh! a charge is something specific." Well, of course, a charge was something specific. It was the very essence of inquiry of this kind that a man's character should not be taken away unless it was by some specific charge. Unless a charge was specific, how was a man to meet it? How was a man to obtain possession of evidence to refute a charge unless that charge was specific? They made every provision for the administration of justice in this country to prevent men's characters from being traduced by all sorts of loose gossip. Let them not be told by the hon. and learned Member for Inverness that the charges must be made against particular individuals of complicity in particular crimes. That was not at all necessary. It was very easy to see exactly why the Government were not satisfied with the word "charges." They were not, as the hon. Member for West Bradford (Mr. Illingworth) had said, desirous of giving Irish Members an opportunity of meeting the charges. That they would not do. What they desired was to get their political opponents into a wide net of allegation, and that he thought had been made quite conspicuous by the speech of the hon. and learned Solicitor General, and for that reason he should vote against the words in question.

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham): I rise to ask the attention of the Committee for one moment in order that I may express my great regret for having put out the right hon. Gentleman (Sir William Harcourt) in the course of his eloquent speech. The only discourtesy of which I was guilty towards the right hon. Gentleman was that of smiling; and my smile was at least excusable in consideration of the extremely vehement manner in which the right hon. Gentleman laid down the law in opposition to the hon. and learned Member for Inverness. I dare say that, as a politician, the right hon. Gentle- is immeasurably superior to the hon. and learned Member; but he must forgive the Committee generally if they attach some importance to the legal construction which the hon. and learned Member has placed on the word "charges;" and I ventured to smile when the right hon. Gentleman laid down the law as to what the word must necessarily mean. Let me put before the Committee for one moment what appears to me to be the real issue before us. The question is whether, by adopting this Amendment, we shall take upon ourselves to limit the scope of the Inquiry which the Judicial Commission which we may appoint may think proper to undertake; and I should like to warn the right hon. Gentleman, great lawyer as he is, that by limiting

the discretion of the Judges and confining the Inquiry within narrower limits than those included in the Bill, he may possibly be doing his hon. Friends below the Gangway a bad service by actually excluding from the purview of the Commission some of the very matters which they may desire to bring to the notice of the Commission. I do not pronounce dogmatically what construction the Judges may put upon the word "charges;" but it is possible that they may place upon it the construction which has been placed upon it by the hon. and learned Member for Inverness. Let us suppose that that is the opinion which may be formed. Then how necessary is the words "and allegations"! One of the matters which I understand the hon. Member for Cork is most anxious to bring to the notice of the Committee is, whether or not he is the author of two letters. Is the authorship of those two letters a crime? [An hon. MEMBER: Yes.] Certainly not with regard to the first letter. I should be inclined to think it was not. The first letter published two years ago, is, I think, beyond all question not criminal. Even if the hon. Member for Cork were proved to be the author of that letter, to be the author of that letter is not a criminal offence. Then there is a necessity for the words "and allegations." If the words were not in the Bill, it is conceivable, and not at all improbable, that the question as to whether the hon. Member for Cork was the author of the letter referred to might be cut out altogether from inquiry. I am surprised that hon. Gentlemen below the Gangway should be so eager to shut out full and fair investigation. I can quite understand their Friends above the Gangway throwing every obstacle in the way of the Bill, but how hon. Gentlemen below the Gangway, who profess a desire to have a real investigation into the charges and allegations made against them, can lend their support to an attempt to limit the discretion of the Judges, I for one fail to understand.

MR. ILLINGWORTH said, the hon. Gentleman who had just sat down informed the Committee that he indulged in a smile when the right hon. Gentleman the Member for Derby (Sir William Harcourt) was speaking. He (Mr. Illingworth) knew it was possible for Gentlemen of the Legal Profession to be amused when other people were writhing, and it was unfortunate, when the most serious charges and a most serious condition of things were being examined, that there should be levity on the Treasury Bench. The Government were now seeking to impress the House of Commons and the country with its sense of fairness and impartiality in bringing forward this measure. But he (Mr. Illingworth) had observed that not alone in the case of the right hon. Gentleman the Member for Derby had the conduct of right hon. Gentlemen on the Government Bench been somewhat out of place. Had they no feeling or consideration for those who were lying for the moment under these charges? Let the Government put on, at least, the appearance of fairness. The hon. and learned Member for the Inverness Burghs had stated that not only would hon. Gentlemen sitting below the Gangway seek to be relieved from the charge of complicity with crime, but other charges laid against them; he said he could well imagine that they would seek to be relieved of the charge of receiving money from those who were criminals or who were charged with connection with crime. He could imagine that the National League or the Land League had received money from persons who might have been connected with crime, but that it was necessary to insinuate that they desired not to have an inquiry into such a charge passed his comprehension. Suppose that it was the duty of the hon. and learned Gentleman to take money from a man placed in the dock charged with an offence; the hon. and learned Gentleman would take that man's money, go into Court, and make the best possible defence for the prisoner. But were they, on that ground, to insinuate that because he received money from such a source he had complicity with the criminal? The idea would appear absurd to any reasonable man. The money sent to these men was to be used in political combinations. It was of the utmost importance that they should understand the meaning of the term "allegations." Suppose the term were absent, were the Judges so far a-field as to charge these Members with the things he had mentioned? It seemed to him that the inquiry was to take such a range as to be almost interminable;

and when the character of so many Members of the House was at stake, he should gladly support the excision of this term so as to confine the clause as the hon. Member for Bedford (Mr. Whitbread) had said, to something which should be just.

MR. SEXTON said, the Government professed to be impartial and neutral in this case; and while, on the one hand, they refused to put the charges against Irish Members into an intelligible form, on the other there was the further evidence of their impartiality in the fact that they permitted, encouraged, and compelled the Commission to inquire into the most shadowy allegations. The right hon. Gentleman the First Lord of the Treasury, in the words of the Lord Chief Justice, had referred to this as a "tremendous indictment." But the Lord Chief Justice was then referring to the crime of murder only. He should not argue with the Under Secretary of State for India (Sir John Gorst) the question as to whether the authorship of the *fac-simile* letter published by *The Times* last year amounted to a criminal charge; but he would remind him that the hon. and learned Attorney General in his speech declared that the letter constituted one of the worst accusations and libels ever made and published on a public man. He doubted whether the hon. and learned Gentleman who had spoken of it in that way would agree with the hon. Gentleman that whether it amounted to a crime or not, the Committee should remember that the Inquiry had been ordered by the Government at the request of a Member of Parliament; and one thing would follow, even if the letter was found not to be a legal crime. If his hon. Friend the Member for Cork were found guilty of the authorship of that letter, did anyone believe that he would be allowed to continue in that House for one day more? That being an inquiry, therefore, ordered at the request of a Member of Parliament, he could not conceive that the Commission would regard the authorship of the letter of May 15 as otherwise than a charge which they were bound to investigate entirely apart from the question of allegation. The hon. and learned Member for the Inverness Burghs had referred to the receipt of money from America for political organization in Ireland; he mentioned that as an instance of what he considered to be no charge. The source of money from persons in America for political purposes was a matter of public record; it had been acknowledged in public meetings and in the public Press. [*Cries of* "No!"] He said that every penny of the money handed in at the meetings of the League had been publicly acknowledged at the time. But whatever opinion hon. Gentlemen opposite held on the matter, they could not contend that what had been a matter of public record could be properly made the subject of inquiry by a Special Commission. Every Member of the House was in as good a position to form an opinion as to those moneys as he would be after the Royal Commission had met. He would conclude with the observation that the Government were going further on behalf of *The Times* than *The Times* itself wished to go. The day on which the First Lord of the Treasury put his Notice on the Paper, *The Times* wrote—

> "Since the proposal has been made on behalf of the Government, we may say at once that we are prepared to accept it, provided it is so far framed as to embrace the whole mass of facts in our charges."

Not a word about "allegations." But, perhaps, in the course of those interesting interviews which had been held between the First Lord of the Treasury and Mr. Walter and Sir Richard Webster, the counsel for Mr. Walter, they had changed their minds. At any rate, *The Times* was willing to go before the Commission on the basis of its charges. *The Times* did not invite that "allegations" should be considered. He declared that the Government, having now so far committed themselves to a policy of pursuit and attempted destruction of Irish Members, had endeavoured to carry their inquiry beyond the scope of the charges themselves.

Question put.

The Committee *divided*:—Ayes 265; Noes 200: Majority 65.—(Div. List, No. 247.)

MR. R. T. REID (Dumfries, &c.) said, he rose to move the insertion in page 1, line 18, after the word "allegations," of the words "of complicity with murder or violence." As the provision of the clause stood, it was incumbent upon the Commissioners to inquire into and report upon all the charges and allegations that were made in the course of the pro-

ceedings in connection with the action of "O'Donnell *v.* Walter," and there was no power, as he read the clause, to enable the Commissioners to limit themselves to any particular class of charges or allegations—whenever charges or allegations were made they must be inquired into and reported upon. That imposed upon each Member of the House the duty of investigating what were those charges and allegations, and the duty, for that purpose, of scrutinizing all the lengthy statement of the hon. and learned Attorney General on behalf of *The Times* in that proceeding. He had endeavoured to do that to the best of his ability, and he had endeavoured to classify the different kinds of charges and allegations, with the view of seeing what it really was that the Judges would be asked to investigate, and he found that they came under three classes. The first class consisted of charges of complicity with murder and violence, by speeches, by letters, by silence, by underhand communications with men on both sides of the Atlantic — charges made by the hon. and learned Attorney General in the course of his speech in the most definite and, at the same time, in the most vehement form. Now, these were charges which he, for one, heartily desired to see investigated; they were charges which had poisoned the political life of that House for the last 12 months or more — ever since they had been brought forward—and they were charges which were regarded by the people of the country as the only charges of any importance at all which had been made by *The Times*. There were other considerations connected with them. No one could conceal that they related to the most frightful form of crime; no one could conceal that the Judges were pre-eminently qualified to deal with charges of this character, both by their training and experience. They might be disposed of within a reasonable compass of time, so that ruinous costs might not be imposed on hon. Gentlemen who had to defend themselves; and it was those charges which he proposed should be the subject of investigation by Her Majesty's Judges. But there were other charges and allegations contained in the very voluminous speech of the Attorney General. It was said that hon. Members and the National League aimed at the confiscation of landlord's property. That was laid down in the speech of the Attorney General; and it raised a very acute political contest. It had been a subject familiar in their debates during the last 18 months, whether the National League or hon. Members desired to plunder the landlords, or desired to prevent them plundering their tenants; it had been made the subject matter of several Blue Books, and of many speeches throughout the country, and he desired to point out that, if Her Majesty's Judges as Commissioners were to be expected to report on questions of that character, they would have to undertake an investigation of the Land Question in Ireland in all its length and breadth. Unless all this was considered by them, they would not be able to give a satisfactory answer on the charges made. Every reason which he had before urged in favour of leaving the first charge to the consideration of the Commissioners he would use against these charges being so left. In the first place, the country would not attach the smallest importance to the finding of three learned Judges on anything relating to the Land Question; the inquiry had to be interminable; he saw no possible means of limiting it within a reasonable compass. He was not speaking in any sense of disrespect to the Judges; but he thought that if the House put before them a question involving social and economical consideration such as he had adverted to, it was the last question on which they should be invited to express any judicial opinion. Again, when these great instruments of inquisition were set up, as they had been once in about seven or eight years, it was generally for the purpose of getting to the bottom of deeds admittedly nefarious, which both sides of the House agreed in denouncing as wicked and outrageous. Now, it was obvious that the use of dynamite or the dagger was hopelessly wicked, and had been condemned by all honest men, and the opinion he was perfectly certain was held as much on that side of the House as upon the other; but when they came to the consideration of the legality of the Plan of Campagn or Boycotting, the case was entirely different. Boycotting must be one of the most cruel and odious practices that could be conceived; but he could also understand it existing in

a comparatively innocent form, as it did in some parts of his own constituency, where it had been the subject of complaint, but he had not been associated with intimidation. Now, that second class of charges, he submitted, ought not to be in any sense introduced into an inquiry of this nature. Then there was a third class of charges and allegations which the fertile instructions of the hon. and learned Attorney General enabled him to put forward. He said that he charged the Nationalist Party with the object of separation of Ireland from Great Britain and the dismemberment of the Empire. He said—

"It is proved up to the hilt that the Irish conspiracy is one and indivisible, and that it is manipulated in all its branches by the avowed enemies of the Empire, that it is inspired from top to bottom with the desire for complete self-separation from this country;"

and he pictured Mr. Parnell as grasping Mr. Gladstone with one hand and Ford and O'Donovan Rossa with the other. With regard to the last sentence he (Mr. R. T. Reid) supposed that meant that Mr. Parnell was guilty of complicity with murder and violence; and if so, it involved charges of the character which the Amendment he was now proposing would not prevent coming within the cognizance of the Commissioners. But did hon. Gentlemen opposite really think that this question could be fairly submitted to a Commission in the form of three Judges—namely, whether it was true that this Irish conspiracy—that was to say, this Irish agitation—was from top to bottom moved by the desire to effect complete separation from England? Was that a question which it was possible for a tribunal such as they were setting up to investigate, or in respect of which it should be asked to report? Did any human being in the country believe that the Report would be accepted as final? It meant nothing more or less than that they were asking the Judges, who were suitable instruments for investigating crime or the participation in it, to involve themselves in the details of discussions in that House on subjects which were controversial, and perhaps the subject of a political struggle that would have hereafter to be settled. It was for these reasons that he desired to limit the words of the clause in the manner which he had indicated. As he had said, the first class of crimes could be investigated if that Amendment were admitted; the Commissioners could inquire into and report upon charges and allegations of complicity with murder or violence. Every suggestion of connivance with fomenting or approval of murder or violence would come within the terms of the Bill. If it was suggested that hon. Members, even short of making themselves responsible to the Criminal Law, had been by direct or indirect act guilty of complicity with crime such as he had indicated, then it would remain open to the Commission to investigate the circumstance. He put it to hon. Gentlemen opposite whether it was not their desire as English Gentlemen that when these Members of the House were sent before the three Commissioners to investigate their conduct, they should have four-fold justice. As the hon. Gentleman the Member for Bedford (Mr. Whitbread) had said the other night, they did not ask any favour, but simply fair dealing. If these hon. Members were tried before any jury of their countrymen, the Government would not be allowed for one moment to enter into any one question that had not been put forward against them; if they were sent to be tried criminally for the offence of being guilty of complicity with murder or violence, or anything of that kind, as every Chairman of Quarter Sessions knew, the prosecution would not be allowed to enter upon a political, social, or economical question; they would be allowed to enter upon nothing whatever that did not bear strictly on the charges made. Hon. Gentlemen, he was sorry to say, had suggested in the course of this debate that hon. Members on that side of the House were desirous of limiting the scope of the inquiry, and he regretted to observe that the right hon. Gentleman the Home Secretary thought fit to echo that sentiment. What did they desire in limiting the scope of that inquiry? It was a most unfair and untrue charge to say that they desired in any sense to limit the scope so as to exclude from consideration those things which honest men desired to have considered. It was an unfair thing to charge them with desiring to limit the scope of the inquiry, because they desired to place upon it bounds which would make it a fair inquiry; they sought to put in the Bill such words as would

make it clear that complicity with murder and violence was the charge made by *The Times* and echoed by Members on the Ministerial Benches. He wished to exclude those social, political, and economical questions which were not suitable for the consideration of Judges, and therefore he begged to move the Amendment standing in his name.

Amendment proposed, in page 1, line 18, after the word "allegations," to insert the words "of complicity with murder or violence."—(*Mr. Robert Reid.*)

Question proposed, "That those words be there inserted."

MR. MATTHEWS said, he certainly agreed with what had fallen from the hon. and learned Member just now; but when he looked through the Amendments on the Paper, he found that their object was to limit and contract inquiry. He could not, indeed, find one Amendment which had not that tendency. With reference to the arguments which had been used in support of the Amendment, he pointed out that they had all been brought before the House more than once in the discussions on the Bill, and also last year, when the Government were asked to bring all the charges made before a Special Committee. The Government had proposed to refer them to this Commission to inquire into and report in consequence of the desire expressed by hon. Gentlemen opposite; but now he found that Amendment after Amendment was put down on the Paper with no other purpose but to limit, cut down, and restrain the inquiry, and confine it to certain particulars. The hon. and learned Gentleman (Mr. R. T. Reid) would know well that if these words were introduced objections would be taken to questions on the ground that they went beyond the terms of reference, and every moment there would be some objection taken by those who were interested in checking and stifling this inquiry. [*Cries of* "No, no!"] Well, what the Government referred to the Commission was the whole matter that had been charged. What unfairness was there in that? The hon. and learned Gentleman (Mr. R. T. Reid), who had not been able to find anything unfair in the reference, had conjured up certain ideas from his imagination. He ventured to say that the Committee would deny that the proceedings in "O'Donnell *v.* Walter and another" would bring before the Commission such questions as the confiscation of landlord's property or capital, the payment of rent, or the Plan of Campaign. He had read these matters with some diligence, and he could only say that nothing of that sort would be referred to the Commission under the proceedings of this Act. There was no doubt that some passing allusions to these subjects might be made; it would be difficult to deal with Irish matters without such allusions. He distinctly challenged the hon. and learned Member to produce passages which referred to economical political questions or to the Plan of Campaign. The hon. and learned Gentleman had stated that the question of Home Rule would be referred to. But would anybody read these articles with a candid and fair mind, and say that it was imputed that hon. Gentlemen below the Gangway were in favour of Home Rule measures. [An hon. MEMBER: Certainly.] He had read the account of these proceedings with some care, and he could find nothing of the kind. He could hardly fancy that anyone would suggest that *The Times* had been so foolish as to make charges against hon. Members below the Gangway, that they had shared opinions which many illustrious Members of that House had first taught them. He did not mean to say that in the course of these proceedings there might not be some passing allusion to the history of the Home Rule movement, but he did say there was no possibility for any fair man to suggest that the question of Home Rule was made a matter of charge or allegation or complaint against a Member of that House or any other person.

MR. SEXTON (Belfast) said, the words of the Attorney-General were—"The object of the movement was, and is, the complete separation of Ireland and England."

MR. MATTHEWS said, that was neither a charge nor an allegation that involved the examination of the Home Rule policy. But he took issue with the hon. and learned Gentleman, and said that no sensible Commissioners reading these articles or proceedings would trouble their heads or allow any others to trouble themselves with these economical, political, or social questions; they would put them aside in a few

moments. The hon. and learned Member wanted to confine the inquiry to complicity with murder or violence; but was arson a matter which he thought of no moment, together with threatening and intimidation, with all the horrors of the Moonlight gang? All that would be shut out by the Amendment of the hon. and learned Gentleman. The hon. and learned Member would restrict the inquiry of the Commission to complicity with murder and violence, but threats and intimidation, however culpable they might be, and however much terrorism might have been created, were to be shut out. The hon. and learned Gentleman was a master of language, and he had chosen words of plausible appearance, but only with the object of strangling this inquiry. No one knew better than the hon. and learned Member that complicity with murder and violence was only half the charge. It was connivance, condonation, and collusion that were charged. It was of necessity that they should know once for all whether it was true or false that a political Party in this country was in close alliance with a Party of crime. He said it was not complicity with murder for a person to have allied himself with, or to have taken advantage of the help of, or accepted money from men who were murderers and guilty of crime in Ireland. Those were the allegations made from which hon. Gentlemen opposite desired to clear themselves, but all of which would be shut out by the Anendment of the hon. and learned Gentleman. He said that these Amendments went on one ground—namely, to confine the scope of the inquiry; but to limit the inquiry to the least, so as to shut out the matters referred to. They would be steadily refused by the Government.

MR. T. P. O'CONNOR said, he had listened with astonishment to the very extraordinary statement of the right hon. Gentleman the Home Secretary. The right hon. Gentleman said that the Amendment of the hon. and learned Gentleman the Member for Dumfries (Mr. R. T. Reid) would exclude arson. Certainly not. With all respect to the right hon. Gentleman, he (Mr. T. P. O'Connor) would say that arson would be included under the head of violence. If the right hon. Gentleman denied that the Commission would take that view, all that he would say was that his idea of the intelligence of the Commission was vastly inferior to that which anyone else had conceived. Was it not trifling with the Committee to say that complicity with murder or violence would not include the crime of arson. That was a matter on which, not being a lawyer, he would not express a dogmatic opinion; but he said that, as a matter of common sense, it must be supposed that the crime of arson would not be excluded. But if the Government fancied that it would not be included, by all means let them put the crime into the Bill. No one wanted to exclude from the Bill the charge of complicity with crime, in any shape or form, on the part of any Member of the House, using the term as legally understood, and not with reference to crime as created by Coercion Acts. The right hon. Gentleman said that the Home Rule and rent movements in Ireland would not come under the Bill. But he could understand that the right hon. Gentleman would have an objection to any exhaustive inquiry into the Home Rule movement; because the first thing which would be inquired into would be the circumstance that at one time the right hon. Gentleman was not only a Member of the Home Rule body, but actually a generous subscriber to the Home Rule movement. He thought he saw the right hon. Gentleman wince under the charge of the hon. and learned Attorney General, quoted by an hon. Gentleman, that Mr. Parnell had held hands with O'Donovan Rossa on one side and Mr. Gladstone on the other. Now, the one man in this House who owed his entrance into political life to O'Donovan Rossa was the right hon. Gentleman the Home Secretary (Mr. Matthews). Why, even in these days of perfidious tergiversation, was it not too indecent that this Bill, charging Members with complicity with O'Donovan Rossa, should be brought into the House by a man who came into politics under the patronage of O'Donovan Rossa? He could quite understand the delicacy which the right hon. Gentleman had lest the Home Rule movement of O'Donovan Rossa should be brought into this Bill. The right hon. Gentleman made an astonishing statement; he said there was no allusion amounting to a charge or allegation in *The Times* with regard to the Home Rule movement.

His hon. Friend had read a sentence which, standing alone, would justify his contention that the Bill, as it stood, and the articles as written, would lead to a discussion on the Home Rule movement. What did *The Times* say? It said that the Irish Members and their associates elsewhere were engaged in a movement, the fundamental purpose of which was separation between England and Ireland. Was that not a political question? That was the cry by which hon. Gentlemen opposite were constantly appealing for support in the country. They said that the statement that the Irish Members and the Irish people would be satisfied with such a measure as was proposed by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) was a false statement, and that what was really aimed at was separation. They said further that, even if the Irish Members did not mean separation, such legislation as was proposed by the Liberal Leader would unquestionably lead ultimately to separation. These were opinions which might be held, he did not think by rational men, but by hon. Gentlemen opposite; and he did not at all question their right to hold such opinions and to preach them, if they liked. But was it not a monstrous absurdity that matters of political speculation like these should be brought before three learned Judges for decision? In the first place, he should say they were not matters for the Judges to inquire into at all; and, secondly, that if they did decide upon them, their opinion would not be worth one penny more than the opinion of the first man he met in the street. They were experts in evidence and law, and not experts in political speculation. *The Times*, all through, had been preaching that the hon. Gentleman the Member for Cork (Mr. Parnell) meant separation, and had always meant separation. That statement was made over and over again in the course of the articles; and, therefore, the right hon. Gentleman the Home Secretary must really not have read the articles at all, or must have read them so superficially as not to understand their bearing, when he stated that the Home Rule movement would not be brought into this matter. What justification had the right hon. Gentleman for saying they wanted unfairly to limit the inquiry? They wanted to bring into relief the charges upon which the country was really interested. Who, in the name of Heaven, cared to debate before a Commission of Judges whether or not a certain speech delivered eight or nine years ago was or was not calculated to lead to a disturbance of the peace? If it was any satisfaction to the right hon. Gentleman and his Colleagues and his Party to think that certain speeches made by his (Mr. T. P. O'Connor's) hon. Friends and himself did tend to a disturbance of the peace of the country, they were perfectly welcome to that opinion; but what was protested against was that questions of inference and speculation should be sent to the Judges for the purpose of obscuring the real issue. Now, what was the real issue? It was that they had been accomplices with perpetrators of murders and violence. It was said that they wanted to shuffle out of the inquiry because, instead of letting these things, which were the real *gravamen* of the offences, be submerged in irrelevant and speculative matter, they wanted them to be put in the Bill, and in that way to have them enforced upon the immediate and prompt attention of the Commission. If he were to imitate the strong language of the right hon. Gentleman, he should say that the Government and *The Times* were running away from the real charges. He pointed out upon the second reading that the matter upon which the mind of the country was fixed was the authenticity of the letters attributed to the hon. Member for Cork. He was glad to find the hon. Gentleman the Member for Stockport (Mr. Sydney Gedge) took exactly the same view as himself, and he was more delighted still to find the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) also took the same view. He regretted, however, to find that the right hon. Gentleman's view slightly altered last Saturday; but then he never did expect the right hon. Gentleman to be consistent for four days in succession. The case before the House turned more upon the letters than upon any other question. So far as the general statements in *Parnellism and Crime* were concerned, he and his hon. Friends regarded them as so very irrelevant, very ancient, and very speculative, that up to the last two or three days he and other Members who were directly

charged in the articles never took the trouble to read them, thinking that the penny was better in their pockets than expended on the articles. For his part, he never read the articles with any attention until these debates began in the House. The country did not care about the general attacks on Irish Members; and as to hon. Gentlemen opposite, he thought that they, of all others, ought to try and take the general charges out of the scope of the inquiry, because those general charges were made years ago—were made at a time when the Irish Members were going night after night into the same Lobby with them—when they, with the aid of the Irish Members, were embarrassing the Liberal Administration of the day. Those charges were made at a time when hon. Gentlemen opposite would have been in a hopeless minority were it not for the constant assistance, both in debate and division, they received from the Members against whom these charges were made. If these charges were true, the guilt of association with the Irish Members must fall upon hon. Gentlemen opposite. The country wanted to know whether Irish Members had been accomplices in crime either by complicity or condonation; and he held that the word condonation was included in the Amendment. What was said upon this question by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain)? It was true it was nearly a week ago, therefore he did not expect the right hon. Gentleman to agree with it now. The right hon. Gentleman said—"If hon. Members say, 'we shall be satisfied if you propose to inquire into the charges of *The Times*, into our connivance with crime, into our complicity with crime, into our condonation with crime,' it appears to me we ought not to stickle as to words. These are, I feel, the matters into which the Government want investigation, and these are the questions it would be proper to enter into." He (Mr. T. P. O'Connor) accepted that statement. If condonation, in a guilty sense, was not included in complicity, his hon. Friend, he was sure, would be willing to accept an Amendment including it. What his hon. Friend objected to, and what they objected to, was that they should deluge them with a lot of charges as to the tendencies and results of their speeches, and that thereby they should drag out the inquiry and hide and obscure from the public mind the practical, narrow, and real issue—namely, whether they were or were not accomplices in crime and outrage.

MR. JAMES LOWTHER (Kent, Isle of Thanet) said, he was unwilling to prolong the discussion on this Amendment, and if it stood by itself he should certainly not undertake to do so. But this Amendment appeared to him to be eminently a representative Amendment; it was evidently framed with great care and legal knowledge, and had the same object in view as a great mass of Amendments on the Paper, that object being to limit and cramp the scope of this inquiry. He was surprised to hear the hon. Gentleman the Member for Cork (Mr. Parnell) speak of this inquiry as absolutely without precedent. He understood the hon. Gentleman to say that an inquiry of his kind had never previously been embarked upon, because the inquiry was aimed at the conduct of individual persons. Reference had been made in the course of the debate to two precedents, to the precedent of the Board of Works inquiry, and to the precedent of the Sheffield Trades Unions investigation. No hon. Gentleman appeared, however, to have thought of a far more analogous precedent, as it appeared to him—namely, the precedent of the inquiries into alleged corrupt practices at Parliamentary Elections. These inquiries concerned Members of Parliament and other persons, and appeared to him to be upon all fours with the inquiry contemplated by this Bill. He would not refer to inquiries before Election Commissioners, which had resulted in the establishment of allegations of gross corruption; he would refer to inquiries which had terminated in a sense satisfactory to Members of the House. He saw the right hon. Gentleman the Member for Derby (Sir William Harcourt) was apparently doing him the honour to take interest in what he was saying.

MR. W. E. GLADSTONE: You are entirely wrong.

MR. JAMES LOWTHER was very sorry the right hon. Gentleman the Member for Derby should have met with so prominent a rebuff so near at his hand, because the right hon. Gentleman (Sir William Harcourt) raised his

hat in acquiescence in the observation that he was paying attention to his (Mr. James Lowther's) remarks, and was immediately and promptly contradicted by his Leader. What he was proposing to refer to was the inquiry into alleged corrupt practices in the Parliamentary Election at Oxford; an inquiry which was general in its character, and extended over a very wide field. The right hon. Gentleman the Member for Derby had an opportunity of conclusively proving, to the entire satisfaction of the Commissioners, his innocence of any complicity whatever in the charges made, and he had the satisfaction of displaying to the world at large his absolute guiltlessness of anything of the kind. He mentioned that as a case where a Member of the House of Commons was enabled to clear himself creditably before a Commission of this kind. Hon. Gentlemen had repeatedly said that this inquiry, if it was conducted in the way proposed in the Bill, would lead to injustice to individuals. As a matter of fact, what those who supported this Bill wanted was that the inquiry should be complete and thorough, and that if, as they trusted, hon. Gentlemen who sat in the House of Commons could prove they were absolutely free from any share in guilt, they should have an opportunity of establishing their innocence before this tribunal. It had, he thought, been too often said that this was a question which really affected the hon. Member for Cork, and those who were more immediately associated with him. He (Mr. James Lowther) ventured to think that the quarter of the House from whence emanated just now the very candid and straightforward interruption was more interested, if possible, than the hon. Member for Cork. What was the position that the right hon. Gentleman the Member Mid Lothian and his immediate surrounding occupied with regard to this subject? He did not wish to make use of any simile which could be in any shape or form offensive, and he would venture to compare the right hon. Gentleman in this connection with a person who was following a very honourable and respectable calling—namely, that of a pawnbroker. Suppose a charge was made against a pawnbroker for having received goods knowing such goods to have been stolen. He was assuming that the pawnbroker was highly respectable, and could conclusively show that his antecedents were above reproach, and that he had always denounced malpractices, and that throughout his career not a single syllable could be uttered associating him with crime. But if it transpired that the person who was alleged to have brought stolen goods to his premises had been more than once laid by the heels at his instance, if it could be proved that his legal advisers had described him, acting on their instructions from him, as steeped to the lips in crime, and that throughout many years past he had pointed at that person as a person to whom the eye of the law should be specially turned, such a man would, at any rate, have an object in having his connection with that person relieved from any possible suspicion. He (Mr. James Lowther) maintained that a person occupying that position, although his antecedents were absolutely irreproachable, would very likely find himself before a disbelieving jury, and forced into a position which might enable him, if he had an entire absence of dignity, and no sense whatever of the ridiculous, to go about the country complaining that he was not allowed to wear his own trousers. He would not pursue the simile any further. What he wanted to do now was to draw the attention of the Committee to the fact that if they were to go into all these Amendments, which really had one and the same object in view, their discussions would be almost limitless. What he thought the House had by a large majority decided upon was that an inquiry should be held with a view, once and for all, of clearing up these matters. The tribunal selected was, as he thought, analogous in its main features to the tribunals which had been appointed to conduct inquiries into certain Parliamentary Elections. Those inquiries had resulted, he thought, in a manner most satisfactory to certain hon. Members of the House, and he trusted the Commission would not be led aside by any argument that departed from the broad principle of conducting this inquiry, and enabling it to be conducted in a full, free, and comprehensive manner, without any limitation whatever.

MR. ASHER (Elgin, &c.) said, he agreed with what had been said by the

right hon. Gentleman the Member for the Isle of Thanet (Mr. James Lowther) that this was a representative Amendment. The discussion upon the Amendment would afford an opportunity of ascertaining what was the exact line of division between the two sides of the House with regard to the scope and purpose of the present inquiry. On the Opposition side of the House he believed there was a unanimous feeling that the inquiry to be instituted before this Commission should be for the purpose of discovering whether the allegations as to complicity with crime on the part of Members of this House were well founded or not. On the other hand, it appeared that the general desire of hon. Members opposite was to make use of this Commission for the purpose of inquiring into the political character of the movement in Ireland. If anything were wanted to establish that fact, the speech of the right hon. Gentleman (Mr. James Lowther) would have afforded conclusive evidence in that direction, because it appeared to him (Mr. Asher) that every sentence the right hon. Gentleman uttered demonstrated that his object and desire—and he presumed that of the right hon. Gentleman's Friends also—was to use the Commission for the purpose of going into matters political rather than criminal. The right hon. Gentleman said he desired this inquiry should be complete and thorough, and he (Mr. Asher) cordially echoed that desire. But it appeared to him that the very first condition of a complete and thorough, and, he might add, satisfactory inquiry, was that they should have the limits and the scope of the inquiry properly and accurately defined. The proposal of his hon. and learned Friend (Mr. Reid) was that there should be added to the words "charges and allegations," the words "of complicity with murder or violence." Now, suppose there never had been any charge made against any Member of the House of complicity with murder or violence, would they ever have heard of the proposal which was at present before the Committee? Suppose the only allegations had been that they were connected with the Home Rule movement in Ireland, certain proceedings of which all right-minded people disapproved, would they ever have heard it suggested that there should be a Commission of this nature? Was there ever a political movement of this character in any part of the world in connection with which certain matters did not occur which everybody was prepared to condemn? It was impossible for anyone to take part in any political movement which had connected with it any such proceedings without making the suggestion possible that there was some link of connection between the two extremes of the movement. But what the country—and he apprehended a great number of hon. Members of the House—desired an inquiry into was, the clear and distinct and specific charges of complicity with crime on the part of certain Members of the House. He confessed that if the criticisms of the right hon. Gentleman the Secretary of State for the Home Department were well founded, and if the words of his hon. and learned Friend (Mr. Reid) were not broad enough to include cases of arson, he should be disposed to advise his hon. and learned Friend to change his Amendment so that it would include such cases. Personally, he was quite in favour of the Commission being charged with the investigation of everything which could properly be described as crime or complicity with crime; and he had no hesitation in saying—speaking with some experience of the investigation of such matters—that the very first condition of a satisfactory inquiry in regard to a matter of this sort was that they should define specifically what the scope of the inquiry should be. If the opinion of the House was that the Commission should confine its attention to the investigation of complicity with crime, most certainly that ought to be stated distinctly in the Bill creating the Commission. The point which was raised by the Amendment was simply this—was the Commission to be constituted for the purpose of investigating charges and allegations generally, or charges and allegations of crime or complicity with crime? Charges and allegations meant charges and something which were not charges; but if they were going to stop there and not to qualify the words at all, but simply make them read as charges and allegations contained in a speech extending over several days was that fair

to the tribunal or fair to the parties who were to come before the tribunal? How could the parties possibly tell what was the thing they had to meet? The broad point raised by the Amendment was whether this Commission was to be constituted for the purpose of investigating alleged complicity with crime. If that broad doctrine were once accepted, he could hardly doubt that both sides of the House would easily agree upon words which would give effect to that view. The words which stood in the Bill in contrast to the Amendment were so vague and indefinite as to leave it absolutely uncertain what they meant; whereas the Amendment did qualify those words so as to make them plainly mean charges and allegations of crime or complicity with murder or violence. He hoped the Committee would look at this matter from a judicial point of view—that they would accept, at least, some modification, if they did not accept the particular words of the Amendment, which would, undoubtedly, limit the scope of the inquiry to charges and allegations of complicity with crime or with violence.

MR. MATTHEWS: I have already spoken upon this Amendment, and all I wish to do now is to take the opportunity of stating that the statement which fell from the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) with regard to O'Donovan Rossa having had to do with my entrance into public or political life is absolutely unfounded.

MR. T. P. O'CONNOR: I beg to repeat in the most positive manner my statement that the right hon. Gentleman entered life under the patronage of O'Donovan Rossa and his party. The circumstances under which the right hon. Gentleman entered political life are these. Mr. Serjeant Barry was at the time Crown Prosecutor for the then existing Government. In the course of his speeches as Crown Prosecutor against certain Fenian prisoners he made some charges which greatly exasperated the Fenian Party. He stood for the town of Dungarvan immediately after making the charges. The right hon. Gentleman (Mr. Matthews)—then an English lawyer—absolutely ignorant of Ireland, came over to Dungarvan, took advantage of the exasperation then produced amongst the Fenians, was introduced by a Catholic priest to the Fenian leaders at Dungarvan, posed as a violent Nationalist—[An hon. MEMBER: Violent?] I use the word advisedly, for it was the strength of his opposition that got the right hon. Gentleman the full support of every Fenian in Dungarvan, and so he entered public life.

MR. MATTHEWS: What has just fallen from the hon. Member is absolutely inaccurate. It is perfectly true that I entered political life as Member for Dungarvan in 1868. It is perfectly true that my opponent was Mr. Serjeant Barry. It is true that Mr. Serjeant Barry was counsel in a case against certain Fenian prisoners, and that he had exasperated against him the whole of those who were either Fenians or sympathizers with the Fenian movement. It is perfectly true that certain persons, not Fenians—[*Laughter.*]—I do not think any of them were Fenians, not one to my knowledge—[*Cries of* "Oh, oh!"]—well, I will repeat what I say, and I think I know as much about Dungarvan in 1868 as any other hon. Member. I knew every man in the constituency of Dungarvan, from my chief supporter, Lord Waterford, down to the lowest of the electorate—down to the most advanced Nationalist of the electorate. I had constant and familiar relations with persons then holding positions in the Fenian organization. I am perfectly prepared to avow every word I said, and every act I did. Those people did give me a certain amount of support in the election. They did it not—as they said most honestly in their speeches and in the Press—on account of my merits, but on account of my demerits. [*Laughter.*] Well, that is a slip of the tongue; I meant to say the demerits of Mr. Serjeant Barry. The instant I was elected *The Irishman*—which I think was an advanced Nationalist paper—described me in the contemptuous language which is commonly used by hon. Members below the Gangway opposite towards such Gentlemen as myself. For instance, they said that any stick was good enough to beat a dog with, and that I had been used as a Tory stick with which to beat Mr. Sergeant Barry. With regard to O'Donovan Rossa I never saw him, I never heard of him, and I never came across

him in any kind of way. He had nothing more to do with my election than the hon. Member for the Scotland Division of Liverpool.

SIR EDWARD CLARKE said, he proposed, in a few words, to close the debate upon the Amendment which was now before the Committee, and those few words would be spoken more out of respect to his right hon. Friend the Home Secretary than because there was any real necessity to restate the position of the Government in regard to the matter. He was somewhat surprised to hear from so fair a reasoner and political combatant as the hon. and learned Gentleman the Member for Elgin (Mr. Asher) the statement that there were two sides to this matter—that one side wished to confine the inquiry to considerations of crime and wrong; and that the other side wished to extend it to the discussion of political matter. That accusation was entirely unfounded. There was not the smallest desire on the Ministerial side of the House to set up a Commission for the discussion of political topics. This was not a Commission which was being instituted at the desire and wish of those who sat on the Government Benches. It was plain that this tribunal had been framed for the consideration of matters which were quite distinct and separate from the controversies of their political life; matters which involved wrong-doing of some kind or other. With regard to the Amendment, he would like the Committee to recollect that the hon. and learned Gentleman (Mr. Asher) had not denied that the words of the Amendment were words of a narrowing character. It had been pointed out that they would exclude, for instance, cases of arson. The hon. and learned Gentleman did not challenge that statement, but said that if the words did exclude arson, he would be prepared to amend the Amendment so that it might include arson. There was another objection to the Amendment, and it had been admitted by the hon. Member for the Scotland Division of Liverpool. That hon. Gentleman said that complicity included connivance with and condonation of crime. He (Sir Edward Clarke) disputed that proposition.

MR. T. P. O'CONNOR said, that what he said was, that if the words of the Amendment did not include that, he had no doubt his hon. and learned Friend would amend his Amendment, so that it should do so.

SIR EDWARD CLARKE said, that if the hon. Gentleman had waited, he (Sir Edward Clarke) would have closed his sentence by pointing out that he (Mr. T. P. O'Connor) as well as the hon. and learned Member (Mr. Asher) proposed an Amendment upon the Amendment, and that therefore they both admitted that the Amendment, which the Committee was now asked to vote for, would in itself have a limiting effect. Suppose the words were amended so as to include arson, so as to make complicity include condonation of and connivance with crime. What about intimidation? That was not included in either the Amendment or the proposed Amendment to it No. 1, or the proposed Amendment to it No. 2, and the Amendment would have to be a third time amended in order to include intimidation, which, of course, was a thing which must be included if the Commission was really to deal with the series of questions contained in the articles in *The Times* and in the speech of his hon. and learned Friend the Attorney General. The speeches of the advocates of the Amendment had shown the Committee conclusively that the Amendment itself would be one which would have a narrowing effect. He agreed with the hon. and learned Gentleman (Mr. Asher) that this was a representative Amendment. The Government desired an inquiry into all the matters alleged in the course of the proceedings. They declined to limit the inquiry by leaving out any of the matters from the consideration of the Commissioners, and they objected to, and would resist, any Amendment the intention of which, or the effect of which, either intended or not intended, would be to limit the inquiry and exclude any such matters from the consideration of the Committee.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton) said, he quite agreed that this was a most important and governing Amendment, and as such they regarded it. It was so important and so governing an Amendment that if on the Opposition side of the House they had had the least notion or conception or shadow or idea that it would have been rejected by the majority of the House, it was probable that the second

reading of the Bill would have been a very different affair. [*Laughter.*] The right hon. Gentleman on his left the Member for West Birmingham (Mr. J. Chamberlain) laughed; but the right hon. Gentleman, at a critical time of the debate on the second reading, made a speech of admirable rhetorical effect, the best speech he had heard even from the right hon. Gentleman since the first speech he made in the House, which anyone who heard it would never forget. The right hon. Gentleman's speech was the turning point in the debate on the second reading. He understood—and he thought everyone else understood—the right hon. Gentleman to propose two Amendments of very great importance, the first of which was to limit the inquiry to—he used the word very broadly—murder, and crimes of violence. Many of them—those of them especially who were exceedingly anxious to have this inquiry for the honour of the House of Commons, and for the honour of public life—had been considering very carefully how the inquiry might best be limited; and when the right hon. Gentleman made the suggestion that he did make, they felt that it was worthy of his knowledge of Public Business and of the House of Commons. That suggestion was received in a manner which satisfied them that not only their side of the House, but the House of Commons as a whole, was prepared to limit the inquiry to complicity with, and condonation of, murder and crimes of violence; and they felt that all the more because this was not a question in which the Opposition side of the House, or the House of Commons generally, was interested, but it was a question in which the country at large was interested. What the country at large wanted to know was whether there was any truth in the charges; and the only charges that it cared anything about were the charges against hon. Members of the House that they had been concerned, more or less directly, with murder and with murderous crimes. If there were any other crimes, crimes real or imaginary, which required to be inquired into—and they had heard first one and then another named until at last they had come down to intimidation—could they forget that at this moment there was a Crimes Bill under which, whether justly or not, hon. Members in great numbers not only could but were being actually punished severely for crimes of unlawful assembly and intimidation? Some hon. Members had gone still further. The right hon. Gentleman the Member for the Isle of Thanet (Mr. James Lowther)—who, he was sure, as a private individual, they were all very glad to welcome back again to the House—in a speech which reminded him strongly of the fact that he actually was responsible for the government of Ireland during the most critical of all periods in that country, plainly showed that he wished that the Commissioners should actually take cognizance of purely political questions as between Irish Members and men who were not returned to Parliament at all. The fact was, if the Bill were left in its present state, there would be sent to this Commission of Judges an immense mass of allegations, allegations some of which had already been read to the House, allegations which bore upon questions that everyone regarded as purely political; but if this Amendment were passed, then it would be laid down as the opinion of the House of Commons that this unusual and extraordinary step of appointing a Commission of Judges had been taken for the only purpose that the House had a right to take it—for the great and cardinal purpose of determining whether a number of brother Members of the House were or were not concerned in the crime of murder or crimes of violence. If hon. Members of the House had thought that the Commission was demanded for any other purpose, the second reading of the Bill would never have passed the House unanimously; and he would venture to say that if the House endeavoured to enlarge the scope of this inquiry beyond these charges, which were really the charges against hon. Members in the minds of all Members who believed either the writings in *The Times* or the speech of the hon. Gentleman which was referred to in the Bill, if the House went beyond these special charges, he would venture to say the House would not have the country with it.

MR. J. CHAMBERLAIN (Birmingham, W.) said, the right hon. Gentleman who had just sat down had certainly paid him one of the greatest compliments he ever received in his life, for he had been good enough to tell the

House that upon an occasion he himself described as critical in reference to a measure, the importance of which he was well able to estimate, he (Mr. J. Chamberlain) was fortunate enough to make a speech which enabled the right hon. Gentleman to make up his mind. But for that speech it appeared doubtful whether the right hon. Gentleman would have found himself able to support the second reading of the Bill. He was very glad to think that he had so much influence with the right hon. Gentleman, and he was encouraged to try his hand once more, and perhaps he might induce the right hon. Gentleman to vote against the Amendment before the Committee. The right hon. Gentleman said he did not wish to chop words with him; but he wished the right hon. Gentleman and those who agreed with him would not chop his words, but quote them as they were delivered, and as they would be found reported in any newspaper. What he (Mr. J. Chamberlain) said on a previous occasion was, that it seemed to him there was a general agreement on both sides of the House as to the object of the inquiry, and nothing had been said in Committee, either in support of the Government or in opposition, that had altered that opinion in the slightest degree. He said the object of the inquiry was to find out —and he was speaking, not, of course, in legal language, but using a layman's language—to find out if hon. Members of the House and other persons had been guilty of crime, of complicity in crime, of connivance with crime, of condonation of crime, and he said it was no part of the object of the House to inquire into the Plan of Campaign or Boycotting, except so far as they were proof of complicity in crime. Now he said the same thing again, and if hon. Members could find any words that would carry out legally that meaning, which he believed was the meaning of the Government and of everyone who spoke in favour of the Bill, then they would find him ready to vote for them. But this Amendment did nothing of the kind. It proposed to confine the inquiry into charges and allegations of complicity with crime, and his hon. and learned Friend (Mr. R. T. Reid), who was a lawyer, went on to explain what he meant by the words. He said, by complicity with crime, he meant by speech, by letters, by silence, and by communication with other persons here or in America. Well, but even that was not wide enough, though it was an immense deal wider than the Amendment. [Mr. R. T. REID: No.] Well, then let the hon. and learned Member put these words in, and he would show him, although he was not a lawyer, that his Amendment would not carry out the hon. and learned Member's own intention. His intention was that the inquiry should include complicity with crime by letter. Would the hon. and learned Gentleman say it would be possible for the Commission to inquire into the first of the letters alleged to have been written by the hon. Member for Cork? [Mr. ANDERSON: Yes.] He did not put his question to the hon. and learned Member for Elgin and Nairn (Mr. Anderson); he asked his hon. and learned Friend who moved the Amendment (Mr. R. T. Reid), and would take his explanation of the Amendment, and even his explanation of law, before that of the hon. and learned Member for Elgin and Nairn. The letter which was attributed by *The Times* to the hon. Member for Cork was a letter which certainly did not necessarily involve complicity with crime, and which could not be investigated if the charges were confined to complicity with crime; and, therefore, he said the effect of the Amendment would be to limit inquiry on a point the hon. Member for Cork said was one to which he attached prime importance. He wondered what his hon. and learned Friend meant by saying that in his Amendment was included complicity with crime by silence?

MR. R. T. REID asked to be allowed to explain. His right hon. Friend had fallen into a little misunderstanding, and very likely it was his (Mr. R. T. Reid's) own fault. What he said in stating his intention was, that *The Times* had charged the hon. Member with complicity with crime by speech, by letter, by silence, by underground communication, and so on; and what he thought he said, and certainly what he meant to say, was that his Amendment was designed to cover what he understood to be the effect of *The Times'* charges. That was what he meant.

MR. J. CHAMBERLAIN said, he thought his hon. and learned Friend would find, when he saw the report of

his speech, that that was not what he did say. At all events, if that was what he meant to say, the Amendment would not carry out his intention, for it would exclude from inquiry a great portion of the charges made by *The Times*. If he did not intend that the speeches of hon. Members, letters of hon. Members, and their communications with other persons here and in America who had been guilty of crime, and their silence when silence involved condonation of crime—if he did not intend that these matters should be included, then the inquiry would be incomplete, and he (Mr. J. Chamberlain) would be no party to it. The limitation would exclude intimidation when it led to crimes such as arson and other forms of violence ordinarily understood, but not included in the legal definition. What he had to say upon the whole matter was, that the intention of the House was perfectly clear; and if lawyers could agree that any form of words could be adopted in the Bill which, while admitting to the full inquiry into all these points, incitement, condonation, and the various steps which led up to crime, and which, at the same time, would exclude unnecessary investigation into the Plan of Campaign and political agitation, however extreme, then he did not believe there would be any difference of opinion as to the adoption of such an Amendment. But, on the other hand, nothing could be more unwise than to introduce words of limitation that would prevent the inquiry being as complete and full as the country desired it should be.

MR. R. T. REID said, he had been very unfortunate in dealing with the words of the right hon. Gentleman, because, really, the idea he had intended to convey in the Amendment was the idea to which expression had been given, or which he thought had been given, in the speech of the right hon. Gentleman to which he listened a few days before. Referring again to the reported words, he found that the right hon. Gentleman said, alluding to matters he desired to exclude from inquiry, he meant Boycotting, the Plan of Campaign, and political agitation—

"Exclude these," he said, "by all means. I think matters of this sort are altogether irrelevant to the main object of inquiry. I do not see why the inquiry should not be confined to charges of real importance, affecting complicity with crime by hon. Members, with crimes of personal violence and outrage.

He (Mr. R. T. Reid) was very far from denying that his language was somewhat different from that of the right hon. Gentleman; but it differed in the sense that it was more comprehensive. The words of the right hon. Gentleman were "personal violence and outrage," while the Amendment referred to murder and complicity with murder or violence. He would not waste time in the discussion of mere words, but, for himself, would say frankly that, as his object appeared to be the same as the right hon. Gentleman had that night expressed, it would be a great pity if difference of language prevented their coming to an agreement on the subject. If it was the case—which he did not for a moment believe—that the Amendment was open to the criticisms—perhaps he might be permitted to say the verbal cavils of the right hon. Gentleman the Home Secretary—he was the last man to wish to exclude such an offence as arson. He did not believe it would be excluded. He hoped that it might be possible for the Government, with the assistance of their Legal Advisers, to suggest to-morrow the use of language which, while excluding what most of the House thought ought to be excluded, would not exclude matters of real crime as ordinarily understood.

And it being Midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again *To-morrow*.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL — MR. J. CHAMBERLAIN AND MR. T. P. O'CONNOR.

CHARGE OF DISORDERLY EXPRESSION.

MR. J. CHAMBERLAIN (Birmingham, W.): Mr. Speaker, I regret to have to call your attention to a personal incident. At the moment when the other debate was adjourned, according to the Standing Order, the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) made use of some expression of an offensive character, which he addressed to myself in the

House of Commons. He called me "Judas Chamberlain." The expression was subsequently repeated by the hon. Member for West Cavan (Mr. Biggar). I am very loth to take any notice of expressions of this kind, and I have often passed them over when they came from those Benches. But on the present occasion the insult was so marked that it appears to me that it is my duty to call your attention to the matter.

MR. PARNELL (Cork): Sir, I rise to a point of Order. I wish to say that the right hon. Gentleman the Member for West Birmingham has complained of an expression which he alleges was used towards himself by the hon. Member for the Scotland Division of Liverpool, but which expression was not heard by the right hon. Gentleman the Member for West Birmingham. I can prove that the expression, or the alleged expression, was not heard by the right hon. Gentleman the Member for West Birmingham, and that he repeated it.

Several hon. MEMBERS: We all heard it.

MR. PARNELL: If the right hon. Gentleman will be good enough to listen to my point, my point of Order is that a complaint with reference to an opprobrious expression alleged to have been used by an hon. Member of this House, whether at the time you were in the Chair or not—as a matter of fact, I believe nobody was in the Chair—should be brought to your notice by a Member of this House who has heard the expression. I want to know, is it competent for the right hon. Gentleman the Member for West Birmingham, or anybody else, to bring before you a complaint upon hearsay, which he does not know of his own knowledge?

MR. SPEAKER: If an expression is used so that other Members of the House say that they heard it, my only course is to call upon the hon. Gentleman the Member for the Scotland Division of Liverpool to say whether he did use the expression complained of.

MR. PARNELL: My point of Order is that the complaint should be made to you, Sir, by some Member who heard the expression.

MR. JOHNSTON (Belfast, S.): Mr. Speaker, I beg to say that I heard the expression.

MR. SPEAKER: The person most interested in this matter is the hon. Member against whom the opprobrious expression has been used, and if he brings a complaint before me while I am in the Chair it is my duty to take notice of it. I, therefore, ask the hon. Gentleman the Member for the Scotland Division of Liverpool whether he did use the expression?

MR. T. P. O'CONNOR (Liverpool, Scotland): Yes, Sir; I used the expression.

THE LORD MAYOR OF DUBLIN (MR. SEXTON) (Belfast, W.): On a question of Order, Sir, I wish to ask whether there is any provision for a report being made to you on what is alleged to have occurred otherwise than by the Chairman of Committees?

MR. SPEAKER: That is immaterial. This was used during the transitional period between the Chairman leaving the Chair and my taking it. It is clearly just as improper that an expression of that kind should be used at that period as when I am in the Chair. The hon. Member for West Cavan has said that he used the expression.

MR. PARNELL: The hon. Member for West Cavan did not use the expression.

MR. JOHNSTON: I heard the hon. Member for West Cavan.

MR. J. E. REDMOND (Wexford, N.): The right hon. Gentleman the Member for West Birmingham will corroborate what I am now going to say. The right hon. Gentleman seemed not to have heard the expression used by my hon. Friend the Member for the Scotland Division of Liverpool, and he turned round to these Benches and asked—"What did he say?" and then, in answer to that question, the hon. Member for West Cavan, as I understood, said to the right hon. Gentleman the Member for West Birmingham—"He said so-and-so." I venture to submit that the expression did not emanate from the hon. Member for West Cavan at all; it was in answer to a question from the right hon. Gentleman the Member for West Birmingham.

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): I entirely corroborate what has just fallen from the hon. Member for North Wexford. My right hon. Friend and myself heard his name mentioned in a very loud tone

below the Gangway; but neither of us heard the expression with which it was accompanied. It was also accompanied by laughter. My right hon. Friend asked what it was, upon which the hon. Member for West Cavan said—"He called you Judas Chamberlain."

MR. T. P. O'CONNOR: Mr. Speaker, I do not wish to be a party to, nor do I think I should be justified, in prolonging this discussion; and, whatever may be my feelings on the subject, I admit I should not have used the expression in this House, and I now wish to withdraw it.

MR. SPEAKER: I understand the hon. Gentleman expresses regret for having used the expression? I hope, therefore, the House will permit the matter to go no further.

MR. T. P. O'CONNOR: Yes; you have rightly interpreted my language, Mr. Speaker.

ORDERS OF THE DAY.

—o—

CONSOLIDATED FUND (No. 3) BILL.

(*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Jackson.*)

DR. TANNER (Cork Co., Mid) protested against the Bill being read without some explanation of it being given, late though the hour was. He took serious objection to the method by which the Government tried to smuggle Bills through at the close of a Sitting. He was perfectly certain the country would not look with favour upon that attempt—for it was nothing less—to obtain money under false pretences.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, the hon. Member had evidently spoken under some misapprehension. The Bill simply gave effect to the Votes already passed by the House. It gave legal effect to the Votes in Supply, enabling the Government to use the money.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Friday.*

BARROW DRAINAGE BILL.—[BILL 313.]

(*Mr. Arthur Balfour, Mr. Solicitor General for Ireland.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Arthur Balfour.*)

DR. TANNER (Cork Co., Mid) asked how much longer this farce was to continue? Night after night the Chief Secretary came to the House, and, knowing perfectly well that these Bills must be debated, yet after 12 o'clock he answered "now" when the Order was read, in order possibly that he might gain some spurious reputation for a desire to pass these Bills—[*Cries of* "Order!"] The Bills could not pass without discussion by Members representing constituencies interested, and that conduct of the right hon. Gentleman was most undignified for one in his position, though he was bound to admit that it was thoroughly characteristic.

MR. MURPHY (Dublin, St. Patrick's) hoped the Government would give time for discussion, or else withdraw these Bills. The present Bill appeared in a version different to what Members were led to expect from the statement of the right hon. Gentleman the Chief Secretary on the first reading, and it would certainly be a monstrous thing to attempt to pass it without discussion.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) said, he was extremely interested to know what hon. Members had to say upon the Bill, and there was ample time—three-quarters of an hour—for a speech on the subject.

MR. P. STANHOPE (Wednesbury) said, the right hon. Gentleman, his followers, and his friends the Liberal Unionists, spoke as if there was a general agreement among English and Scotch Members on the principle of these Bills. But he (Mr. Stanhope) would venture to say they required very serious examination on the part of the House of Commons. They contained a principle which hitherto when developed, as it had been in several cases in public works in Ireland, had often resulted in serious loss to the Public Exchequer. He could not allow the impression to be created that only Members from Ire-

land were interested with these measures. It was proposed to grant over £300,000 to some parts of Ireland as a free gift, and as a first instalment of much larger sums; and yet the right hon. Gentleman, after midnight, in his usual jaunty manner, gave his customary nod, as if he alone had the authority to sanction that expenditure. Let the Government understand clearly that these Bills must be debated at great length, and that they contained a great deal of controversial matter in which not only Irish Members were seriously interested.

MR. SEXTON (Belfast, W.) said, as an inducement to the Government to put down these Bills for a time when they could be discussed, he might mention the fact that the Irish correspondent of *The Times* stated that the drift of engineering opinion in Ireland was that these schemes were radically bad.

MR. ILLINGWORTH (Bradford, W.) said, it was idle to assume that these measures affected Ireland only. In this instance a sum of £680,000 was involved, nearly half of it in the way of gift, the other half as a loan, which he was quite certain, seeing that the proposals were not made in a form satisfactory to Irish Members, would, in the end, be a loss to the National Exchequer. Not only Members on that side expressed opinions adverse to the policy of the Bill; the right hon. Gentleman the Chancellor of the Exchequer had himself formulated the strongest possible objection to grants upon these lines, this recourse to the national cheque book whenever there was a question of the kind. Certainly the House would consider it was very desirable that the right hon. Gentleman should have the opportunity of corroborating these views, or show the causes that had induced his change of opinion. Nothing could be fairer than the demand for time for discussion. The House understood that these Bills were only the first instalment of a long series of measures in connection with public works in Ireland, and involving a much larger expenditure. £1,000,000 by loan or gift was a matter not to be trifled with in itself; and, moreover, it was setting up a precedent that might be fraught with dangerous consequences.

MR. SPEAKER, interposing, said as the Bill had been objected to, and was proposed to be deferred till to-morrow, debate now would be irregular.

Second Reading *deferred* till *To-morrow.*

SOLICITORS' BILL [*Lords*].—[BILL 347.]
(*Mr. Attorney General.*)
SECOND READING.

Order for Second Reading read.

MR. HENRY H. FOWLER (Wolverhampton, E.) asked, how it was the Bill appeared on the Paper marked as a Government Order? It was introduced in the other House by a Peer who was not a Member of the Government, and it had not been mentioned in the Government programme. He could assure the hon. and learned Attorney General that some of the clauses would meet with opposition; but what occasioned him some surprise was to find the Bill a Government measure, though the First Lord of the Treasury had given no intimation that the Government had taken it up.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, of course, he could not debate the subject-matter of the Bill; but he might explain that it was introduced in the House of Lords by Lord Esher, because he happened to have the custody of the Roll to which the Bill referred. The Bill had been fully considered by the Profession of which the right hon. Gentleman (Mr. Henry H. Fowler) was a distinguished ornament, and it was introduced with the approval of the Lord Chancellor.

Second Reading *deferred* till *To-morrow.*

COPYHOLD ACTS AMENDMENT BILL
[*Lords.*]—[BILL 298.]
(*Mr. Haldane.*)
SECOND READING.

Order for Second Reading read.

MR. HALDANE (Haddington) said, the Bill contained certain clauses known as the "mineral" clauses which had excited a good deal of opposition. These were inserted in "another place" against the wish of the promoters; and if the House would agree to take the second reading of the Bill, he would undertake that these obnoxious clauses should, so far as he was concerned, be omitted in Committee. The rest

of the Bill was mere machinery, and was not, he thought, objected to by the Government, or by the hon. and learned Gentleman the Member for the Wellington Division of Somersetshire (Mr. Elton).

MR. TOMLINSON (Preston) said, he did not think the Bill ought to be entertained at such a time.

Second Reading *deferred* till *To-morrow*.

MUNICIPAL CORPORATIONS (LOCAL BILLS) (IRELAND) BILL.—[BILL 351.]

(*Mr. Sexton, Mr. Murphy, Mr. T. D. Sullivan, Mr. Maurice Healy, Mr. O'Keeffe, Mr. Richard Power, Mr. Peter M'Donald.*)

SECOND READING.

Order for Second Reading read.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) said, this Bill was introduced in deference to a suggestion of the Chancellor of the Exchequer to a deputation that waited upon him a few days since, and it was intended to remove a disqualification that pressed hardly upon Corporations in Ireland, and the Bill applied to Corporations in Ireland a principle that for many years had been applied to Corporations in England. He would move that the Bill be read a second time.

MR. JOHNSTON (Belfast, S.) objected.

MR. SEXTON (who rose amid cries of "Order!") said, he had to move the postponement of the Bill till to-morrow, and, in doing so, he wished to say that if the pledge given by the responsible Financial Minister of the Government was to be thwarted by one of the right hon. Gentleman's followers he should not persist with the Bill.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he certainly wished to keep his pledge, and to do his best to have the Bill passed. He did not know whether the Bill had been printed. Certainly it could not be expected to pass the second reading without being seen. The right hon. Member (Mr. Sexton) was correct in saying that the principle of the Bill had his approval.

Second Reading *deferred* till *To-morrow*.

PARLIAMENT—ORDER—THE BLOCKING OF BILLS.

MR. WHITBREAD (Bedford) said, he wished to appeal to the Speaker on a point of Order. Owing to the practice which had grown up in the House of Members objecting when the Orders of the Day were read, it appeared to him the time between 12 o'clock and 1 was not utilized in the way the House intended when the Rule to close Opposed Business at 12 was adopted. He desired to ask the Speaker whether, supposing a Member who had charge of a Bill were allowed to make his statement after 12 o'clock, would that place Members who desired to oppose the measure in any worse position, or have less power of stopping Business after allowing this courtesy to a Member in charge of the Bill?

MR. SPEAKER said, the object of the Rule referred to was to prevent Opposed Business being entered upon after 12 o'clock.

MR. WHITBREAD said, he must explain that his point was, whether a Member who objected to a particular measure would have less power to prevent it being proceeded with further, if, before objecting, he allowed the Member in charge to make his statement?

MR. SPEAKER said, the hon. Member was perfectly right in his suggestion; an hon. Member would not, under such circumstances, lose his power of objecting.

MOTIONS.

EDUCATIONAL ENDOWMENTS (SCOTLAND) ACT, 1882 (BURGH OF CULROSS AND COUNTY OF PERTH ENDOWMENTS).

MOTION FOR AN ADDRESS.

MR. WALLACE (Edinburgh, E.) said, his apology to the House for bringing on his Motion at an inconvenient hour was the importance of the subject in the locality interested, and the fact that the time wherein to take objection to the scheme was fast running out. He would confine his argument entirely to impugning the conformity of the scheme with the Act under which it was formulated. Into the policy of the Act he would not enter at all—he would simply ask the House to consider if the scheme before it complied with the Act.

He did not deny that, like many other schemes of the Commissioners, it did its best for secondary education, whether University or technical education, nor would he deny that this was good and necessary work, more particularly in the peculiar position in which secondary education was placed by the operation of the Elementary Education Act. But while the Commissioners had benefited education, and secondary education particularly, beyond the requirements of the Act to his mind, they had in this particular scheme, as they had in many others, forgotten to a considerable extent another most important requirement of the Act under which they drew up their scheme—that which demanded that when the founder of any educational endowment had expressly provided for the education of children belonging to the poorer class generally, or within a particular area, then the Commissioners should, so far as requisite, continue the application of the fund for the benefit of such children. The Act was clear and distinct, and, whatever might become of secondary education, these benefactions should continue. But his contention in regard to this scheme was—and he was ready to think it was by oversight—that the Commissioners had forgotten the claims of poor children within a particular area. On the propriety of the Act itself he would not speak—he would take it as a thing "past praying for," as done, concluded, and beyond dispute; he only questioned compliance with the Act in this particular instance. He would accept this as due to accidental circumstances, and in reference to this he had questioned the Lord Advocate whether it was a fact that, owing to imperfect advertising, the inhabitants of the parish where the endowment was applied practically lost their statutory opportunity of lodging objections with the Scotch Education Department against the scheme? The Lord Advocate, of course, could only give the information supplied by his subordinates, and, to a certain extent, the information was correct. There were three advertisements, as required by the Act, in connection with any scheme framed by the Commissioners; one by the Commissioners, one by the Education Department in its central stage and another in its final stage. In regular course, no doubt, these advertisements were published; but they were published in such a way that the people most interested would not, in the ordinary course of events, have seen the advertisements. The Lord Advocate said the advertisements were issued in newspapers published in the two towns west and east of the parish; but the newspapers had practically no circulation in the parish. It would be ridiculous for him to go into geographical details, nor did he know that even the Lord Advocate had any clear idea of the geography of the district; but he might as well have had a scheme interesting to South Norwood inserted in *The Highgate Express* or *The Harrow Road Telegraph*, or any local papers having no connection with the locality concerned. If the Commissioners or the Education Department had advertised in any of the Scotch papers circulating all over Scotland, such papers as *The Scotsman*, *The Glasgow Herald*, or *The Scottish Leader*, that circulated in every town and village, then there would have been a *bonâ fide* advertising of the scheme. But nothing of the kind was done, and, for all the publicity given among the people concerned, the Commissioners might as well have hung up a description of their scheme in their own dining rooms. The inhabitants of the parish did not know that such a scheme was in formation until it had been approved by the Education Department and all power of objection gone. No doubt, the managers of the endowments did receive an intimation from the Commissioners two or three years ago that such a scheme was going to be drawn up, and they did lodge objections which were taken into account; but the people of the parish were unaware until the time when the only resource open to them was a Petition to Parliament. It was a tedious subject for hon. Members generally at such an hour; but the House had a duty to perform, and he hoped, unless he was very unreasonable, hon. Gentlemen would be patient with him. His first contention was that the scheme was in the teeth of the letter and spirit of the Act. The endowment was known as the Geddes Trust, and combined with it in the scheme were the Bill's and Law's Mortifications and the Valleyfield Endowment; but these local terms had no significance for an Assembly like the

House of Commons. The principal trust in the group was the Geddes Trust. The Commissioners, in consolidating those funds, had done good work; they had saved a great deal of expense, and had accumulated a sum that under the spirit of the Act might be devoted to University or technical education. But from want of information the Commissioners had gone wrong. Take first the Geddes bursary. It was really a very good bursary of £30 a-year for students to attend the Universities or the higher seminaries for technical education, and in continuing that bursary and enlarging its scope the Commissioners had done well. But what were the conditions under which the founder established the bursary? They were four-fold; first, the holder was to be a native of the parish of Culross, his circumstances of life were to be those of poverty; he was to be born of parents unable from their situation in life to maintain him at the University; and his parents were to have lived in the parish for at least eight years. This being the terms of the deed of bequest, and the Act of 1882 declaring that where a founder provided for the education of poor children within a particular area effect should be given to the provision, how did the scheme of the Commissioners deal with the matter? They had done well in keeping the bursary at the yearly value of £30, and he did not object to its extension to technical education, though that was not exactly the founder's intention. Then the Commissioners went on to say the bursary should, first of all, be awarded after competitive examination, and this at once excluded a very large class of those whom the founder had in view. The Commissioners said there should be competitive examination among those who had been pupils in public or State-aided schools 12 months before the date of examination. There was no question of nativity or eight years' parental residence, and no condition in respect to a particular area, which was provided for in the Act and required by the founder's will. Any person from a neighbouring parish might come in and compete for the bursary, if only he could arrange so as to be called a pupil attending a public school within the parish for 12 months. There were in the neighbourhood good educational institutions, the town of Dunfermline was only eight or nine miles off, where there was a good high school, and a youth educated there, qualifying himself simultaneously by what might pass for a 12 months' attendance at Culross, might carry off the bursary without fulfilling any of the conditions laid down by the founder. Did not this one instance prove his case sufficiently to justify the House in asking the Commissioners, who evidently had acted upon insufficient information, to take back and revise their scheme, making it conform to the Act and accord with the wishes of the founder? This was merely an initial instance. He would not deal so unreasonably with the House as to proceed with the case through all its length, breadth, and thickness; but he could show how similar errors had been committed in reference to the Bill's and Law's bursaries intended by the founders to be awarded in a similar manner, and which the Commissioners had dealt with in their similar manner, neglecting the geographical area intended to be benefited, and laying the advantages open to the whole world. Intended by the founders for the poor, these bursaries were of no use whatever to the poor. What was the use of offering a poor man, say, a £5 or £10 bursary for his son, in respect to higher education or technical education outside the place in which he resided? It was all very well for those resident in Edinburgh, Glasgow, Dundee, or a large town, where means for higher education were at hand; but what was the use of offering a poor man a small bursary, when he could not afford to send away his son to take advantage of it? The practical outcome of the arrangement would simply be that if the people in the parish would have a chance of the benefit, it would only be a chance with the people of other parishes, and probably it would be a help to the minister of the parish and others similarly situated. There happened to be two ministers in the parish he was referring to, for what reason he had never been able to discern, though he had been brought under the spiritual ministrations of both. The practical effect would be that the minister, or the doctor, the successful shopkeeper, or perhaps the postmaster, would be able to avail himself of these opportunities, and be able to send his son to a University town, or a place where he could get the benefit of technical education.

That would be a national benefit; no doubt the increase of the means of education necessarily benefited the nation, come in what shape it might; but then, he argued, that was not the intention of the founder of these donations; that was not according to the requirements of the Act of Parliament under which the Commissioners were appointed. He hoped the House would bear with him for two minutes more whilst he turned to another point out of the many upon which he could make remarks. [*Cries of* "Agreed!"] He did not take it upon him to protest against the impatience of the House in this matter; but he was bound to say that local charities and local endowments suffered in the House of Commons, and more particularly when they happened to be Scotch. He was perfectly well aware that, with regard to Scotch Business, Scotch Members were in the position of being despised by English Members. They had, however, long reconciled themselves to that fact. Among the numerous points that he might have adduced in connection with this scheme he would only particularize one more. If the Lord Advocate replied to him on other points, he should be able to meet him with the same brevity and conciseness as he had endeavoured to achieve in opening the case. With respect to the buildings, the land, and the endowments, that related to the consolidation and amalgamation of the different trusts, the Commissioners took power to impose certain duties upon the school board of the parish. One of these duties was that of selling one of the buildings. In order to secure a sufficient accommodation for the schooling of the parish, it was provided that the other school buildings should be enlarged so as to accommodate all the children in the parish. He regarded that as an imprudent arrangement, and as one which might have been avoided if the parish had been sufficiently consulted. It was a hard thing for the school board of a poor parish that, as a condition of accepting this settlement, it should be required to enlarge a particular building so as to accommodate all the children of the parish. It would be a hard thing even if the settlement were the best in the world. The parish was not an uncommonly small one. All the expense of making the enlargement would be thrown upon it, and it would, at the same time, be under the duty of providing school accommodation for children in the parish who were beyond the statutory limit. He thought the Lord Advocate would bear him out in saying that under the Scotch Education Act the statutory limit was three miles, and that compulsory education could not be enforced beyond that limit. In this parish it so happened that there were a very large number of children who were more than four miles from the place where the school board, under this arrangement, would be compelled to provide school accommodation for all the children of the parish. They would still be under the obligation, however, of erecting another school beyond the three miles radius to accommodate the surplus. In conclusion, he had only to say that he was quite conscious of the difficulties under which a Member lay in trying to do justice to a matter of that kind in the House of Commons. This was, however, not his fault, but the fault of the constitution of the House in not providing for devolution. Gentlemen opposite looked with impatience at most things that concerned the interests of the people, and more particularly of the poor. [*Ministerial cries of* "Oh!"] No amount of interjection of the letter "O" would drive him out of that belief; but he thought the matter would be mended by-and-bye. It was the fault of the House itself that it should be called upon to listen to what were called "petty parochial details." He had not done justice to one-third part of what he ought to have dealt with in reference to this case. Having, however, put before the House one or two salient instances of absolute contradiction to the letter of the Act on the part of the Commissioners, he asked the House to send the scheme back to the Commissioners in order that they might reconsider it.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the Scheme for the management of the Endowments in the burgh of Culross, county of Perth, known as the Geddes Trust, Bill's and Law's Mortifications, and Valleyfield Endowment, approved by the Scottish Education Department, now lying upon the Table of the House."—(*Mr. Wallace.*)

MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities) said, he wished,

in a few sentences, to reply to the remarks of the hon. Member. The hon. Gentleman had given the House a sample of his objections, and he (Mr. J. A. Campbell) would merely deal with those samples. The hon. Gentleman had complained that the scheme empowered the Governing Body to suppress one of the two schools, and to make the remaining school sufficient for the educational requirements of the whole parish. The hon. Gentleman had, however, omitted to mention that this was the recommendation of the School Board of the parish. The School Board distinctly stated, in the evidence given by them before the Commissioners, that one school was quite enough for the parish. The attendance at the two schools amounted altogether to only 146 children, of whom 96 went to one school and 50 to the other.

MR. WALLACE: Might I interrupt the hon. Gentleman? I never made any objection to that at all.

MR. J. A. CAMPBELL: The hon. Member objected to the whole children of the parish being included in the accommodation that the School Board were instructed to provide.

MR. WALLACE: For one place.

MR. J. A. CAMPBELL said, the outlying population to which the hon. Gentleman had referred consisted of two groups of cottages, which could scarcely require a school for themselves. The hon. Member had spoken of the bursaries, and had observed that a bursary of from £5 to £10 would not enable a poor man to send his child to a higher school. The hon. Member had, however, confounded two entirely different things. The bursaries intended to enable poor men to send their children to a higher school were not those of from £5 to £10, but those of from £10 to £15. Those of from £5 to £10 were school bursaries, meant to enable parents in humble circumstances to keep their children at school a little longer than they would otherwise be able to do. The hon. Gentleman had also objected to the scheme so far as it affected the Geddes bursary. This bursary was of the value of £26, and was restricted to the University of Edinburgh, besides being restricted under the four different heads which the hon. Member had mentioned. But what were the facts? It was stated in evidence before the Commissioners that for some time there had been no proper applicant for the bursary. Culross had a population of 1,100, but the bursary was at present not held by anyone, and therefore the Commissioners had increased its value and made the conditions under which it could be obtained a little wider. Instead of continuing to confine it to the University of Edinburgh, they had made it tenable at any Scottish University, or at any technical school or College, or other place of technical or commercial education approved of by the Governors. Were the Governors people who would be likely to neglect the interests of Culross? Why, they were Culross men. They consisted of three members appointed by the School Board, two by the Town Council, and two by proprietors connected with Culross and having a special interest in some of the endowments. Unless hon. Members believed that the new Governing Body would be altogether destitute of common sense, they could not imagine that they would neglect the interests of the poor of Culross.

MR. A. L. BROWN (Hawick, &c.) said, he understood that Scotch Members had been making themselves unpopular by speaking at so late an hour upon schemes of this kind. It must, however, be remembered that it was only at a late hour that they had an opportunity of criticizing these schemes and asking the judgment of the House upon them. He would merely call attention to some of the provisions of the original scheme. The money was left long ago to 12 boys and eight girls "of parents who are unable to afford education to their children;" £20 was to go as a bursary to one child of Culross parents, and so on. What he complained of in reference to all the schemes of the Commissioners was, that they took money from the poor and gave it to the rich. He did not object to devoting the money to the purpose of technical or secondary education as long as those who benefited were the poor; but he did object to the handing over to the well-to-do of money which was intended for the use of the poor. It would not be very difficult to answer the hon. Member opposite (Mr. J. A. Campbell) on the different points he had referred to. The hon. Gentleman had quite misunderstood the arguments used by his hon. Friend (Mr. Wallace), but at that

late hour he (Mr. A. L. Brown) did not think he would be justified in doing anything but support the arguments of his hon. Friend.

DR. CLARK (Caithness) said, he thought it would be better for the Scotch Members to take a general discussion upon all the schemes of this character on the question of continuing the Commission. It was useless for them to protest time after time against the proposals of the Commissioners, because they were always outvoted by Members from other countries, who knew nothing about the subject. The best course to adopt would be to try and oust the Commissioners when the Expiring Laws Continuance Bill came before the House. The Commissioners were kept in that position for the purpose of stealing from the poor and needy and giving to the rich and greedy. [*Cries of* "Oh!"] At all events, they were doing that, their object being to make middle-class education cheap. The question ought to be fought out on the Expiring Laws Continuance Bill.

MR. CAMPBELL-BANNERMAN (Stirling, &c.) said, he hoped the House would not be withdrawn by the ambitious proposal of his hon. Friend the Member for Caithness (Dr. Clark) from the consideration of the Culross scheme. It was his privilege to represent the burgh of Culross in that House, and he could corroborate what his hon. Friend the Member for East Edinburgh (Mr. Wallace) had said, to the effect that the proposals of the Commissioners could not have been very well understood in the locality or notified to the inhabitants. He himself never heard a word about it till last Saturday night. From what he had learnt since then he had come to the conclusion that there was a considerable amount of misgiving and fear among the inhabitants of the parish lest they should be injured by the proposal. He had seen a Petition on the subject which was signed by one or two of the leading inhabitants of Culross, and by others who were genuinely interested in the matter. The fear entertained was, in the main, that under the proposal strangers might come in and get the benefits which were intended for the people of the locality, and also that, as his hon. Friend had just said, what was meant for the poor might go to the rich. He felt perfectly satisfied that that was not the intention of the Commissioners. His hon. Relative (Mr. J. A. Campbell) on the other side of the House had explained the views and intention of the Commissioners, and he (Mr. Campbell-Bannerman) must say that, knowing something of the place, he was not altogether surprised that the large bursary had remained for some time dormant. For his own part, he should be content if he were led to believe, by what was stated as to the mind and intentions of the Commissioners, that, at all events, the benefits of the bursaries would be confined to those who were *bonâ fide* residents of the locality, or connected with the locality, and if some protection were afforded against the danger of an almost fraudulent attendance, or a nominal attendance, at school, giving the benefits of the bursary to a class of children on whom undoubtedly the original founders did not intend to confer any benefit whatever.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, he thought that if the scheme were examined, it would be found that the bursary to which the right hon. Gentleman opposite specially alluded, was one which could not be given except to a child who had attended the school for 12 months before the examination. He did not think the right hon. Gentleman, who knew Culross, could suppose that children would be sent to live there in order to have the opportunity of competing for the bursary. It would hardly pay to send a middle-class child as a lodger to a Culross family for the purpose, because the expenses thereby incurred would be practically as great as the amount of the bursary itself. It was very remarkable that, notwithstanding all the inquiries which had taken place in that House in reference to the schemes of the Commissioners, and the hundreds of schemes which had been passed by them, and were now in operation, in no single instance had it been possible to show that any such results had followed as were suggested by hon. Members opposite. In this particular case, it was a remarkable circumstance that the bursary had been standing open for years because no child had been found who was able to fulfil the conditions laid down by the founders. This rather seemed to indicate that the

natural result of the condition of the inhabitants was that they would not seek after the bursary at all, and that it was absolutely necessary to widen the basis on which it had been constituted. The hon. Member for East Edinburgh (Mr. Wallace) fell into an error when he suggested that the bursaries of from £5 to £10, which were not given with the object of assisting children to obtain higher education in some place other than Culross, would go to the minister's son, the postmaster's daughter, and so on. It was expressly declared in the scheme that these bursaries were only to be given under the rules fixed by the Scotch Education Department in the case of children entitled to total exemption from the obligation of attending school, and whose parents or guardians were in such circumstances as to need assistance in carrying on the education of the children.

MR. WALLACE said, he had made a mistake on that point. He had intended to refer to the other set of bursaries.

MR. J. H. A. MACDONALD said, that in the burgh of Culross, which had a population of 1,100, there were not so very many people who were not able to pay the school fees, and the governors were directed to expend not more than £20 yearly in paying the fees of and providing books and stationery for children who had passed the Third Standard of the Scotch Code, and whose parents or guardians were in such circumstances as to require aid of that kind, but, in the opinion of the Governors, ought not to be required to apply to the parochial board. The scheme was undoubtedly well known to the School Board of Culross. There could be no question about that, because the views of the board were placed before the Scotch Education Department, and the scheme was modified in accordance with those views. It was upon an application of the School Board, urging that the scheme should be disposed of without delay, that the Education Department approved of it, and that it was now lying on the Table of the House. It had been said that the wrong newspapers were selected in which to insert advertisements. Well, Culross was in a very isolated part of Perthshire. It was many miles away from Perthshire itself, and had no newspaper of its own. The Commissioners, therefore, selected the two nearest newspapers they could find. It might be true that there was only one person in Culross who read either of those highly intellectual journals. The Commissioners could hardly know that, and they could only do the best in their power. But let it be remembered that, whatever was the fact as regarded the advertisements, ample time was allowed to elapse; that the School Board was fully informed of and fully considered the scheme; that they stated their objections to it; and that those objections were given effect to. The School Board was not now complaining of the scheme. The plan was based upon the principle of making good use of funds which at present were partially unavailable, and to some extent were being squandered in consequence of the fact that there were two schools where one was amply sufficient. The scheme aimed at putting an end to that state of things, giving effect to the bursaries as they were before, and extending them as bursaries for poor children. If one of the schools was sold, the Governors were bound to give their pecuniary aid towards any enlargement of the other school that might be necessary for the purpose of making it adequate for the accommodation of the whole parish. That was the state of things, and he thought that, when calmly and fairly considered, the objections which had been raised with such a force of argument by hon. Gentlemen opposite would crumble away. It was very difficult to devise any scheme of the kind without giving rise to some objections; but he thought that the case of the hon. Member for East Edinburgh (Mr. Wallace) was probably the weakest which had been brought forward upon the subject of Scotch endowments.

MR. WALLACE said, the right hon. and learned Gentleman the Lord Advocate, in the speech he had just delivered, had shown his want of acquaintance with the scheme. The right hon. and learned Gentleman had said that under the scheme the Governors were bound to apply certain money towards the payment of school fees for poor children. The scheme, however, merely said that the Governors should have it in their power to do so. They might or might not do it, and they were very likely not to. Then the right hon.

and learned Gentleman had said that the School Board did not object to the scheme. As a matter of fact, the Chairman of the board was the first signatory to a Petition against the scheme. In the original deed it was provided that £43 per annum should be spent upon the education of poor children, whereas the scheme provided that the Governors should spend a sum not exceeding £20 yearly. £20 was not a proper substitute for £43; and, as £20 was a mere maximum, it would be competent to the Governors to spend only half-a-crown a-year, if they liked, upon that object. His own opinion was that, through want of information, a very great wrong was being done in Culross. Of course, it was a small matter to Gentlemen of very large views; but his opinion was that justice was never done unless it was done with minuteness.

Question put.

The House *divided:*—Ayes 56; Noes 95: Majority 39.—(Div. List, No. 248.)

STANDING COMMITTEE ON LAW, &c.

Ordered, That the Standing Committee for the consideration of Bills relating to Law, and Courts of Justice, and Legal Procedure, do sit and proceed with the Liability of Trustees Bill [*Lords*] upon Friday 3rd August, at Twelve of the clock.—(*Sir Henry James.*)

House adjourned at twenty minutes before Two o'clock.

HOUSE OF LORDS,

Tuesday, 31st July, 1888.

MINUTES.]—SELECT COMMITTEE—*Report*—Standing Orders of the House [Nos. 242-243].

PUBLIC BILLS—*Second Reading*—Recorders, Magistrates, and Clerks of the Peace (215); Local Government (England and Wales) (238).

ommittee—Distress for Rent (Dublin) (171-245).

Report—Libel Law Amendment (231-244).

ROVISIONAL ORDER BILL—*Third Reading*—Pier and Harbour (No. 2) * (223), and *passed.*

STANDING ORDERS OF THE HOUSE.

REPORT OF THE SELECT COMMITTEE.

THE LORD PRIVY SEAL (Earl CADOGAN) wished to be allowed to state that he had to-day laid upon the Table the Report of the Select Committee on the Standing Orders of the House of Lords. He had received some representations that perhaps it might not be convenient to take the consideration of this Report at the present period of the Session; but he believed there were a large number of Peers in town, and he thought that perhaps, on the whole, it would be for the convenience of the House that he should propose to consider this Report on Thursday week. If any objection to that course were urged between the present time and that day he would be happy to meet the convenience of the House on the matter.

EARL BEAUCHAMP inquired whether it was intended that the Resolutions proposed should become Standing Orders immediately?

EARL CADOGAN explained that the form of the Report was a reprint of the Standing Orders, which would clearly set forth the excisions, the amendments, and the additions which had been made to the Standing Orders as they at present existed. He imagined the proper course of proceeding would be that he should ask the House to consider the Report, and then the House could either take the Standing Orders one by one or else take the Report and make such Amendments as might be agreeable to their Lordships.

LIBEL LAW AMENDMENT BILL.

(*The Lord Monkswell.*)

(NO. 294.) REPORT OF AMENDMENTS.

Amendments *reported* (according to order).

Clause 4 (Newspaper reports of proceedings of public meetings and of certain Bodies and persons privileged).

LORD HERSCHELL said, he proposed to make an Amendment to this clause in order to define more clearly what a "public meeting" meant. The Amendment was that—

"For the purpose of this section 'public meeting' shall mean any meeting lawfully held for the furtherance or discussion of any matter of public concern, whether the admission thereto be general or restricted."

It seemed to him these words would cover every kind of meeting intended to be covered by the clause.

Amendment *moved*, at end of clause to add—

"For the purpose of this section 'public meeting' shall mean any meeting *bonâ fide* held for a lawful purpose, for the furtherance or discussion of any matter of public concern, whether the admission thereto be general or restricted."—(*The Lord Herschell.*)

LORD BRAMWELL said, he was under the impression that this Amendment would diminish the privilege which already existed.

LORD HERSCHELL said, this clause only dealt with the case of public meetings which were not now privileged, and this Amendment was intended as a restriction on a privilege which for the first time this section conferred.

THE EARL OF MILLTOWN said, he must express his regret that the words "public benefit" were not retained.

THE LORD CHANCELLOR (Lord HALSBURY) said, he had been quite content with the words "public benefit," and he did not think the words had been improved upon.

Amendment *agreed to.*

Clause 5 (Consolidation of actions).

Amendment *moved*, to add, at the end of the Clause,—

"In a consolidated action under this section the jury shall assess the whole amount of the damages (if any), in one sum, but a separate verdict shall be taken for or against each defendant in the same way as if the actions consolidated had been tried separately, and if the jury shall have found a verdict against the defendant or defendants in more than one of the actions so consolidated they shall proceed to apportion the amount of damages which they shall have so found between and against the said last-mentioned defendents, and the Judge at the trial, if he awards to the plaintiff the costs of the action, shall thereupon make such order as he shall deem just for the apportionment of such costs between and against such defendants."—(*The Lord Monkswell.*)

LORD BRAMWELL said, he objected to the idea of giving damages in a lump sum. In an action for libel, damages were given, not according to the actual pecuniary loss the plaintiff could show, but in respect of the whole circumstances of the case—*e.g.*, if a malicious outrage had been committed upon the plaintiff large damages were given though he had not sustained sixpennyworth of injury. It could not be right or reasonable that a lump sum should be given in that case. He thought the proposal a mistaken one altogether.

LORD FITZGERALD said, he should support the Amendment, as he considered it the necessary complement of a clause already passed by their Lordships.

Amendment *agreed to;* Clause, as amended, *agreed to;* Bill to be read 3ª on *Friday* next; and to be *printed* as amended. (No. 244.)

DISTRESS FOR RENT (DUBLIN) BILL.

(*The Lord Herschell.*)

(NO. 171.) COMMITTEE.

Order for the House to be put into Committee, read.

THE EARL OF MILLTOWN remarked, that on the second reading of this Bill he had expressed his entire concurrence, and he had asked the noble and learned Lord (Lord Herschell) why the exemption contained in the Bill with regard to distress under £5 should not be extended to the whole of Ireland? The noble and learned Lord had been kind enough to say that he would consider that point, and he understood him to assent to the suggestion. As, however, he had not seen any Amendments to this effect, he had ventured to put some down on the Paper himself, to which he hoped the noble and learned Lord would assent. He understood that there was no objection on the part of Her Majesty's Government.

LORD HERSCHELL said, he had borne in mind the point to which the noble Lord had called attention; but he had not felt himself competent to deal with the matter in this Bill, although, for his own part, he saw no reason why the section should not be extended to the whole of Ireland. He had, therefore, communicated with the noble Earl opposite as to the view of the Irish Government with regard to the matter, and Amendments would be put down upon the Report stage which, though considerable in number, would be for the most part verbal, the only object being to extend this provision to the whole of Ireland.

THE LORD PRIVY SEAL (Earl CADOGAN) said, that in his opinion the object proposed by the noble and learned Lord was an extremely good one, and

he could see no reason why the section could not be extended to the whole of Ireland. He did not understand whether the noble and learned Lord intended to agree to the Amendments proposed by the noble Earl.

LORD HERSCHELL said, that the Amendments which would be brought forward upon the Report stage would be more extensive than those of the noble Earl.

EARL CADOGAN thought that in that case the Report stage should be deferred till next week.

House in Committee (according to order); Amendments made: The Report thereof to be received on *Friday* next; and Bill to be *printed* as amended. (No 245.)

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—(No. 238)

(*The Lord Balfour.*)

SECOND READING.

Order of the Day for the Second Reading, read

LORD BALFOUR, in moving that the Bill be now read a second time, said, that in what he should have to say in regard to this Bill he wished to ask that indulgence which the House never failed to extend to any one of its Members on whom had been imposed a task of exceptional difficulty and complexity. He was glad to think that, as this Bill had been before the country for some time and was probably well known to the majority of their Lordships, it would not be necessary to take up so much time as would be the case had he to introduce the subject for the first time and the House had no previous knowledge of it. He was also glad to think that in the task he had to perform he could not but be greatly assisted by that complete and accurate knowledge which so many of their Lordships possessed of the present state of Local Government in this country. No one who had any knowledge of the subject could doubt that in the present system, or rather want of system, there was a great field for the reformer, and that there was a most pressing necessity for endeavouring to simplify our Local Government in England and Wales. The position of matters had been described by a high authority as "a chaos of areas, a chaos of rates, and a chaos of authorities;" and he did not think anyone could say that the description was overdrawn. You had counties and boroughs, Unions and Parishes, you had Urban and Rural Sanitary Districts, School Boards, Highway Boards, Burial Boards, and others, and the whole seemed to have arisen in this way—it was not created upon any system, but it depended upon the exigencies of the day when new authorities were created to perform duties which had devolved upon them from time to time. It was stated in the 11th Report of the Local Government Board that there were no fewer than 27,069 different authorities which taxed English householders by no fewer than 18 different kinds of rates; and, to make confusion worse confounded, the name of a place did not always signify the same area. It was possible, and not at all improbable, that the inhabitants of any particular borough might have over them no less than a six-fold authority—a Municipal Council, a Vestry, School Board, Burial Board, Board of Poor Law Guardians, and Quarter Sessions. The inhabitants of Local Board districts might live in four different areas—the Local Board district, the Parish, the Union and the County, and might also have six different governing authorities over them. He had seen it stated that there was a farm of 200 acres in the county of Gloucester situated in 12 different parishes and subject to 50 different rates. If that was the case and the occupier retained his sanity, he must be a man of extraordinarily strong powers of mind. He did not claim for the Bill that it contained everything which might be desired in the way of local government, but what he did claim was that it laid a broad and solid foundation upon which hereafter a useful superstructure might be raised, and it gave considerable power for the simplification and consolidation of areas in, he thought, a wise way, for subordinate districts which had a community of interest would gradually come together by means of that interest without being coerced. Thus the object which reformers of our Local Government system had at heart would be much more likely to be attained than if a cut and dried system were imposed upon the country at once. There was only one other preliminary observation which he had

to make. He was bound to express regret that so short a time should be allowed between the introduction of the Bill and the second reading. At the same time, every effort had been made to suit the convenience of the House. As it was believed that there was no formal opposition to the second reading, it was thought that it would be more convenient to the House if that stage of the Bill were taken as early as possible, and as much time as could be given were allowed between the second reading and the going into Committee. He passed now to consider the general provisions of the Bill. It would be found to be divided into six main parts. The first part dealt broadly with the constitution and powers of the County Councils proposed to be created, and with the finance so far as that finance had regard to the relations between the Imperial Exchequer and the County Councils. The County Council was to consist of a Chairman, County Aldermen, and Councillors. The Bill, in fact, proceeded on the lines of the extension of the Municipal Corporations Act to the Counties, though there were exceptions to the principle of that measure which had been adopted. The Local Government Board was charged with the duty of fixing how many Councillors should represent each administrative county, and also with the duty of apportioning the number of representatives which were to be given to the boroughs which were counties in themselves. The existing Authorities, both of the county and the borough, were charged with the duty of dividing the areas under their control, and when they were divided there would be one Councillor returned for each division. There was power given to the Local Government Board by a subsequent clause to get over any difficulty which might occur on the occasion of the first election. Various methods of election had been proposed; that some councillors should be nominated, others elected; that some should represent owners, others the occupiers; but all these systems had been discarded, especially it was thought undesirable to put in any provision that would create a difference of interest between owners and occupiers, and the new County Councils would be constituted by direct popular election. With regard to the points in which the Bill departed from the principle of the Municipal Corporations Act, in the first place the disqualification of clergymen and ministers of religion to sit as Councillors was taken away, and an owner of property in a county might be elected a member of the Council, although he did not reside within the area of the district to whose council he might be elected. The County Councillors would hold office for three years and then retire together. It was thought that to have an election every year would cause an amount of uncertainty and expense which it was extremely desirable to avoid. The County Aldermen were to be elected by the Councillors, and were to hold office for six years, half of them retiring at the end of each period of three years. A County Alderman was not, as such, to be allowed to vote at the election of a succeeding County Alderman. It was hoped that by retiring only half the number of Aldermen at the end of each three years a proper amount of continuity would be secured in the administration of affairs by the County Councils. In selecting County Aldermen power was given to the Council to select them either from among their own Body or from the outside; but in either case the person selected must possess the qualifications of a Councillor. As regards the Chairman, he might be elected from among the Councillors or Aldermen, and when elected was to hold office for one year. The powers and duties of the County Council might be said to be derived from three sources. Some were transferred from the Courts of Quarter Sessions, some from the Justices out of sessions, and some were new powers now given for the first time. With regard to the transference of powers from the Court of Quarter Sessions, the principle which had been acted upon was that all powers which might fairly be described as administrative or financial should be transferred, and that those which were judicial should remain with the Quarter Sessions. The powers transferred to the Councils were set out in the sub-sections of Clause 3, and they included rating, borrowing, the management of county asylums and of main roads, and many others. The power of appeal, however, in matters connected with fixing the basis for a county rate,

was reserved to the Court of Quarter Sessions. The transference from Justices sitting out of session included the licensing of places for the public performance of stage plays, and powers under the Explosives' Acts. Some of the powers transferred had in the past been performed by committees of the Justices, and in the same way extensive powers of delegation were conferred upon the County Council. The new powers given to the Councils included the appointment of Coroners and the power to purchase bridges or repair and improve them. There were also considerable powers given under the Rivers Pollution Act. In this latter respect it was not intended to supersede the Sanitary Authorities, but the power of the County Council was to be concurrent with theirs, and it was hoped that the power being exercised by a Body representing a large district would be enforced with greater energy than had previously been the case, when the offenders were generally the chief men of the smaller district, while in cases of pollution by sewage the sanitary authorities were themselves often the worst offenders. Power was also given to the Council to appoint medical officers of health, to oppose Bills in Parliament in the protection of the interests of the ratepayers, to take over the maintenance of the main roads, and also to deal with the important subject of emigration. He was sure it was the desire of everyone to aid in supporting any well-considered scheme of assisted emigration, and at the present time the only power possessed by any public Body to deal with this subject was that possessed by the Poor Law Authorities. There were, however, obvious objections to that power, and it had very seldom been put into force. It was not unreasonable to suppose that some countries, or some of our own colonies, would object to an extensive scheme of pauper emigration. The power proposed to be conferred on the County Councils was, therefore, within certain limits, to assist in paying the expenses of poor persons who were not paupers, but who desired to emigrate. Then, with regard to the powers to be given for the management of the police. It should be borne in mind that the powers transferred to the County Councils were administrative or financial, while those retained by the Quarter Sessions were judicial. An interesting question might consequently arise as to whether matters regarding the police were to be looked upon under the one head or the other. The matters were financial in so far as the police had to be paid; but some of the functions of the police partook of at any rate a *quasi*-judicial character. Therefore, it was provided that a joint Committee of the Quarter Sessions and the County Council should be constituted in order to have the control and management of the police. There were also extensive powers given to the Local Government Board of transferring to the County Councils in course of time some of the functions now discharged by certain Government departments in regard to Provisional Orders. As at first proposed, the clause made an absolute transfer of these duties to the new County Councils; but it was pointed out that such a transfer would tend to overweight the new machinery before it had got into thorough working order. Therefore, without departing from the principle embodied in the clause, a suggestion was adopted that permissive power should be given to transfer those duties by means of Provisional Orders to be arranged by the Local Government Board and confirmed by Parliament. The same consideration had guided the Government in not transferring some other powers, such as those connected with the administration of the Poor Law. If there arose any question as to whether any given power was transferred under the terms of this Bill, a summary way of finding that out was laid down by a clause which provided that a reference might be made to the High Court of Justice. The next matter dealt with in this division of the Bill had reference to the financial relations which were to exist in future between the Imperial Exchequer and the County Councils. There was no controversy that the claim of the local ratepayers for some relief was well founded. Effect had been given to that claim by the policy of grants-in-aid which had been made from the Imperial Exchequer to Local Bodies in recent years for certain purposes. Those grants-in-aid had tended to greater efficiency in regard to the matters for which they were given; but it was part of the present scheme that they should disappear, and that

instead of them there was to be a transference from the Imperial to the county funds of certain licences hitherto collected for and used by the Imperial Exchequer. The licences to be transferred, which included all the licences for the sale of wine, spirits, and tobacco, would be found set out at length in the first Schedule of the Bill. For the present, these licences would continue to be collected by the Inland Revenue Department; but the proceeds of them would be paid to the different County Authorities in the districts in which they were collected. Those proceeds amounted to nearly £3,000,000 last year. In addition to those duties, it was proposed to give four-tenths of the Probate Duty, which would probably produce £1,800,000; and there was likewise the Van and Wheel Tax, which it was estimated would, if sanctioned, produce £826,000. In other words, the total would amount to £4,800,000, exclusive of the Wheel Tax; of £5,626,000, including it. Of these sums, it was estimated that about £500,000 would be spent by the County Councils in the discharge of the new duties which would be imposed upon them with regard to main roads. The local grants-in-aid for lunatics, medical officers of health, teachers in pauper schools, registrars, vaccination, and police would also be discontinued; but the net gain to the local ratepayer would not be less than £3,000,000, if the Wheel Tax were agreed to. Owing to the number of boroughs which became counties of themselves, some grievance was felt in many districts on account of the great financial loss which that would bring upon the County Councils. It was pointed out that many of the Licence Duties collected in the boroughs were really those which ought to appertain to the surrounding rural districts. Very difficult questions might arise in this connection, and it was thought better to insert a clause in the Bill appointing certain Commissioners for the purpose of settling these questions. But after all these deductions were made and effect given to these considerations, the proposal now made would afford relief to the local taxation of the country to the extent of not less than 5*d.* in the pound if the Wheel Tax were authorized, and of 3½*d.* without the Wheel Tax. There were also certain temporary provisions for the current financial year into which he did not propose to enter. The second part of the Bill referred to the methods of its application to the different urban communities and boroughs which had hitherto enjoyed special privileges and an exceptional position. These county boroughs and county cities would be found named in the Schedule. He had already explained what means were to be taken for adjusting the financial relations between them and the counties in which they were situate. The only point to which he need refer was that a permissive power was given, which would probably be exercised by some of the smaller ones, to consolidate their police force with the police force of the county. The second class of boroughs were the Quarter Sessions boroughs of above 10,000 inhabitants, with regard to which all municipal jurisdiction was exempted from the provisions of the Bill. There were also certain provisions with regard to main roads. The Act of 1878 did not apply to Quarter Sessions boroughs, and therefore they had not had the opportunity which other districts had had of declaring certain roads to be main roads. The provisions to which he was referring were intended to give these boroughs time to exercise their power of declaring roads to be main roads. There was another class of boroughs which had a separate Commission of the Peace, but were not in a technical sense Quarter Sessions boroughs. In the case of these boroughs there would be no transfer of judicial powers, and their asylums would be managed not by the County Council, but by the Municipal Councils of the boroughs. Boroughs of less than 10,000 inhabitants would have their municipal rights preserved, but their police would be amalgamated with that of the county. The other provisions of this part of the Bill would be better discussed by their Lordships in Committee than on the second reading. He next came to the provisions which concerned the future government of the Metropolis. The area which the Bill took for Metropolitan purposes was that which was subject to the Metropolis Management Act. Parts of three counties—Middlesex, Kent, and Surrey—were included, and the Metropolis was made a county in itself. The parts so taken out of these counties would thus become a new county of London, and would have a Lord Lieutenant and

Sheriff and a new Commission of the Peace. But the first Commission of the Peace in the County of London would consist of those Justices now on the Commission of these three counties who were resident or were rated within the area of the new county. The County of London would have its Council, with a Chairman and Aldermen. The Aldermen, however, instead of being one-third of the whole Council, would only be one-sixth, and the Parliamentary divisions of the Metropolis would be taken as electoral divisions for the County Council, and each division would return two Councillors. The City of London would be included in the County Council, to which also would be transferred the power of the Metropolitan Board of Works. There was power given in the case of London of appointing and paying a Deputy Chairman of the Council, as well as of appointing a Chairman. There were also special provisions as to highways in the Metropolis, inasmuch as the Highways Act, 1878, did not apply to the Metropolis. The next great division of the Bill had regard to the different areas taken and the boundaries of these areas. The difficulty was, in the chaos which existed, how to get the administrative county to conform to what he might call the geographical county. Parishes were almost invariably in one county only, but it was not so with Poor Law Unions. No one would like unnecessarily to interfere with county boundaries; considerations of sentiment, which were of great importance in such matters, would come in the way; but it was not less dangerous to interfere with Poor Law Unions, as important financial questions would immediately come to the front. The administrative county was, in almost all cases, the geographical county. The exceptions were the county boroughs and certain urban communities—Urban Sanitary Districts which were situate in more than one county. In the latter case the district would be assigned to the county in which the larger proportion of its population lived. As regarded the Rural Sanitary Districts, the boundaries of which were not conterminous with those of the county, each part was to be merged in the county to which it properly belonged. A considerable power was given to the Local Government Board of arranging boundaries when there was any local dispute, and there was also a permanent power in this portion of the Bill of rearranging Sanitary Districts with the consent of the Local Government Board. For an alteration in the boundaries of a borough or county a Provisional Order sanctioned by Parliament would be necessary. The fourth part of the Bill dealt with local financial affairs, and there were special clauses reserving special liabilities of special areas for special purposes. He would give one example. Suppose there was in a County Council district a borough maintaining its own police. The clause to which he referred made it clear that the borough should not also be assessed for the general police of the county; but in matters connected with the county police, the Borough Councillors would have no power in that case to sit and vote. There was the power of borrowing given to the County Councils. That was a power which was viewed with a certain amount of jealousy; but it was hedged round by safeguards, and every precaution was taken to provide against extravagance and to place before the existing generation the amount of its liabilities. There was also to be an audit, with ample power to surcharge and disallow, and there would be a budget laid before the Council for each year. No liability beyond £50 could be incurred without a special resolution of the Council on due notice given. There were other clauses which, however, were purely administrative. There was, for the first time, a provision as to the regulation of tricycles and bicycles. It was felt to be a great hardship that a man going on a long journey should not know, as he passed from one district to another, whether or not he was breaking the law. The first election of County Councillors would take place in January; but the Councils would not come into full power until some date before the 1st of April, to be fixed by the Local Government Board. The object was to make the transition from one state of affairs to another as little abrupt as possible. It had been sometimes said there had been no demand for this alteration in the law; but what was the significance of that? What did it mean? The absence of agitation arose in no small degree from the fact that for a long time changes on these

lines had been regarded as inevitable sooner or later. Both of the great political Parties were pledged to them; both parties had attempted to deal with them. He was sure he was the last man who would cast reflections on the administration of the Courts of Quarter Sessions. He believed it might be said that their administration had been a model of economy, efficiency, and purity. If things could remain as they were, perhaps there would be no necessity for such changes as were now proposed; but even the greatest admirers of Quarter Sessions would hardly say that they could have borne the strain of the increased duties now proposed to be put upon them. It was necessary that these Local Authorities should have broader, wider, and deeper foundations than those possessed by the Courts of Quarter Sessions. He hoped that the new duties were such that the ablest men in the community would be proud to perform them. The best Bill that could be framed would be useless unless properly administered; and he hoped to see the same class of the community taking part in the future as in the past. It might take greater trouble, but if so, the reward would also be greater. At the same time, no one class had a monopoly of ability, and what they hoped was, that in the future administration of the County Councils room would be found for the working of all classes. It was, perhaps, too much to expect that the poison of excessive Party spirit might be altogether and always banished from these elections. At least, he hoped there would be no importation of that which was worse than Party spirit—the pitting of one class in the community against another. If the business was approached in a proper spirit the result would be that all classes in the community would get a better idea of the wants, wishes, and aspirations of every class, which would tend to establish, confirm, and strengthen that true community of feeling which was the greatest safeguard of the public welfare. In conclusion, he thanked their Lordships for the indulgence granted him, and begged to move the second reading of the Bill.

Moved, "That the Bill be now read 2ª." —(*The Lord Balfour.*)

LORD MONK BRETTON said, that although the Bill only contained one clause more now than when it was introduced in the other House, it had undergone very considerable alterations, and many of these alterations, in his judgment, were for the worse. The Bill had not only been shorn of many of its most valuable provisions, but other parts had been marred and mutilated. The Government, no doubt, had yielded to the pressure of friends and of foes. The fault he had to find with them was that they had not shown a sufficiency of obdurate tenacity in adhering to certain sound provisions which the Bill contained when it was introduced, but which were lost in its passage through the other House. Still, after all, the Bill accomplished, even as it stood, three great purposes. It laid broad and deep the foundations of municipal government in the counties; it put the aids to local taxation upon a somewhat better footing than hitherto; and it effected no inconsiderable measure of reform in the government of the Metropolis. In establishing a representative body upon a broad basis to which would be transferred the financial and administrative functions of the Justices in Quarter Sessions, it conceded a reform which had been demanded in speeches and in writing from the days of Mr. Hume downwards, and to accomplish which Bills had been introduced by independent Members and by Governments of both Parties. The Bill effected another change which had long been asked, by substituting the surrender of the produce of certain taxes, or parts of taxes, for the present grants-in-aid, and thereby put the system of subvention on a safer footing, though he was far from saying an altogether satisfactory footing, as regarded the Treasury and the Local Authorities than hitherto. The Bill, then, appeared to be a valuable Bill even as it stood, and if that should be, as he hoped it was, the opinion of the House, it seemed unnecessary to occupy the time of their Lordships in a second reading debate. They might well read the Bill a second time, reserving, as he proposed himself to do, any observations which they might have to make for the clauses of the Bill in Committee.

THE EARL OF CARNARVON said, that, if he did not quite agree in the conclusions of the noble Lord opposite, he hoped his noble Friend the Prime Minister would not think he criticized the Bill in an unfriendly spirit but

he felt that the sum and substance of his remarks must rather appear unfavourable to the Bill than to the general plan laid before the House this evening. He congratulated his noble Friend on the very careful and conscientious way in which he dealt successively with each point, for he made amends by his patient and exhaustive statement of the Bill for the great disadvantage which their Lordships laboured under of having had the Bill presented only this morning. Of that, however, he made no complaint. His remarks at present would apply simply to the County Councils and county administrators. He was afraid his objections went to the very foundation of the Bill. He denied, in the first instance, that there was any real analogy between counties and boroughs for the treatment of local business. Counties differed from boroughs widely in character, in habits, in thought. More than that, and most of all, they differed in geographical conditions. In a borough everyone who took part in these County Councils would be at hand; in a large county every member of a County Council would have to travel long distances. They could not by legislation annihilate conditions of space. Men would not consent to travel frequently from one end of a large county to another, and the larger a man's business was the greater his stake in the country, and, consequently, the more desirable he was as a member of the Council the less time he would have to give to it. Again, on first principles he denied the wisdom of adopting this principle of uniformity in assuming that, because a particular system worked well in boroughs, it must for that reason be desirable to apply it as closely as possible to the counties. The strength of the English Constitution had been over and over again stated, he believed truly, to be in the fullest variety of classes, of interests, of subjects. That was a doctrine which had been affirmed repeatedly from the days of Mr. Canning down to the days of Mr. Disraeli, and now they were going to reduce everything to the deadest level of the most monotonous uniformity. The only persons from whom he had heard any warm expression of satisfaction about this measure had been the election agents. They naturally foresaw in it a harvest, and a rich harvest. They saw how easily the machinery which was now being erected by the Bill lent itself to the formation of the caucus, of election agencies of all sorts and kinds. He was not stating his own opinion only on this subject, because he had seen in the last few days the letter of a very distinguished writer and politician, a man whose name certainly was well known in this country, and who had gained a vast experience on the other side of the Atlantic; he meant Mr. Goldwin Smith. He would read Mr. Goldwin Smith's own words—

> "How much good this Local Government Act will do in the administrative sphere, we shall see when it comes into operation. What seems certain is that in the political sphere it will call into existence another swarm of demagogues, and give a new field and a fresh impulse to the democratic movement at the moment when something to moderate that movement is most needed."

Mr. Goldwin Smith went on to another paragraph, to which he invited the special attention of his noble Friend the Prime Minister—

> "The pledge which is by implication given of presently extending municipal democracy to Ireland is the promise of a boon, which, if we may reason from the municipal action of the Irishry on this continent, is likely to prove the greatest of curses, and which the Irish people themselves can hardly be said to desire. It will not satisfy their Nationalist sentiment, or sentiment of any kind.

As he was, he believed, the only person who ventured to warn the House what the result, so far as Ireland was concerned, would be from the last Reform Bill, so he ventured also, as a dispassionate observer, to assert that they could not pass this Act without involving very serious consequences as regarded the Sister Isle. With regard to these County Councils, they had undergone two changes since the Bill had been originally introduced, and he was afraid that both those changes had weakened and worsened them. When the Bill was originally introduced, the County Council occupied a much more important *status*, and much larger towns were comprised within the county; but by degrees the number had been limited. First of all, towns under 150,000 inhabitants were to be included, then 100,000, and then it was reduced to 50,000, and he was not sure whether that standard was adhered to

at the present moment. From a Local Parliament, designed to decentralize and to attract within its sphere all the highest ability within its districts, the County Council had been allowed to degenerate in Committee in the House of Commons into a large Vestry. There was a second change which he held to be a distinct evil. When the Bill was first introduced, elections were to be held every six years, then these six years were cut down to three, and the Chairmanship of the Council was to be contested annually. What was the result of this? Why, that every large county would be kept in the ceaseless turmoil of electioneering campaigns, with all their agencies and caucuses, which it should be their object to keep out of these districts. He asked their Lordships to consider what would be the result supposing that at the time of one of these elections there came some popular cry, whether Home Rule, or some financial heresy, or any other? Who could doubt that the members of the County Council would be elected upon that cry? That was a great evil; but a further evil followed. The chances were that with the whole body of the County Council changing at once, they would have no continuity of policy. But then they were told that the County Councils would be directed and kept in the right path by those who had formerly been members of the Quarter Sessions, who would give them the benefit of their ripe experience and business habits, and would be able to counteract the caucuses. He sincerely trusted that this might be the case. He would urge upon everyone he knew to apply their habits of business to the work of County Councils; but who could seriously say that that would be the case, or honestly believe that, even supposing those magistrates of ripe experience should find their way, in the first instance, into the County Council, that would long be the case? His noble Friend who had introduced this Bill might possibly remember how heritors in Scotland had been practically shelved in matters where it was expected they would take a prominent part. The noble Lord had complimented the County Justices as models of purity, efficiency, and economy. He had praised them in that House as they had been praised in "another place;" but, for his own part, he was reminded of the Latin line—

"Probitas laudatur et alget,"

and in spite of their efficiency, economy, and purity, the County Magistrates would have small inducement to discharge the duties required of them. Their position reminded him of the inscription upon an Italian tomb—"I was well; I hoped to be better, and now I am here." He would ask a further question. For what was it that they were abolishing the whole of this great administrative system, which, by universal confession, had worked so well? It was for what in one sense only was an unknown quantity, not in another. There were many other Bodies and Institutions in this country which discharged duties resembling those which these County Councils would have to discharge. One was a Body of rather sinister reputition—the Metropolitan Board of Works. If the noble and learned Lord who presided with so much ability over the inquiry which was now going on had been in the House, perhaps he would have told them something about the conduct of business within that Body; but the public prints, at all events, led them to believe past any doubt that there was corruption, bribery, intimidation, and every sort of foul iniquity that could defile a Public Body of that nature. It was his earnest hope that these County Councils might not prove such as the Metropolitan Board of Works; but he wished they had some better security for it, as in constitution the two Bodies closely resembled each other. The noble Lord told them that precautions had been taken to enable control to be kept of the expenditure. In this respect he thought that the Bill had improved since it was first introduced. Powers had at first been given to lend money to other Local Bodies within the county for emigration and for other purposes. All these powers, as far as he was aware, had been cut down and curtailed with very great advantage; but, at the same time, he could not doubt that the public expenditure in the hands of these Bodies would so grow that the large subsidy of which his noble Friend had told them would be absorbed by the extravagance of these new Bodies. The noble Lord had begun his speech by dwelling on the

merits of the Bill as simplifying the present administrative chaos in rural districts; but, for his own part, he had listened in vain for any explanation of that simplification. With all respect to the noble Lord, instead of simplifying the Bill introduced fresh elements of complexity. They would now have Quarter Sessions, Petty Sessions, Boards of Guardians, Highway Boards, and County Councils, and they would have District Councils; there were to be three electoral registers, two electoral areas, and three or four modes of election; in fact, there was a vast multiplication of public business, and he was simply bewildered when he heard the noble Lord taking credit for the Bill on the ground that it simplified the existing system. There was another point on which he would not dwell now, but which was more the subject of discussion in Committee—namely, the question of the joint committee which was to administer the police. He would only say, in passing, that he could not for his own part conceive any plan more likely to be fruitful of quarrel than this co-optation of two powers which had naturally no affinity. With regard to the measure generally, he would have preferred to praise it than to criticize. He acknowleged that the Government had had considerable difficulties to confront, and that there would have been great difficulty in refusing Local Government when both Parties had pledged themselves to it. But the result was now that they were galloping down hill with reins hanging loose and with no drag on the coach. He did not think that that was wise statesmanship; and he felt sure that his noble Friend at the head of the Government knew that as well as he did. He was told by some noble Lords that that House would incur unpopularity if it were to criticize adversely this measure; but he hoped that that House would rise superior to such considerations. If there was one place more than another in this country where they were bound to speak out their opinion, whether pleasing or displeasing to others, it was the House of Lords. In conclusion, he would only say this—he accepted this Bill; he accepted facts which he had no share in shaping, and he would make the best of those facts in future; he would induce others to do the same; but he deeply regretted that this Bill should ever have been introduced.

LORD DENMAN, who had given Notice of his intention to move that the Bill be read a second time that day six months, said, he had had the audacity to move the rejection of the last Reform Bill. His chief objection to it was the naming of the divisions of Counties by the names of Boroughs. Wirksworth Division for Western Division of Derbyshire—which misnomer was removed either in the Registration or Redistribution of Seats Bill, by the two Members for South Derbyshire (Sir T. W. Evans and Sir H. Wilmot), now Chairman and ex-Chairman of the Derbyshire Quarter Sessions, from which all financial business was proposed to be withdrawn. Indeed, this was so much of a Money Bill that the House of Commons might disagree to any alteration of it. He wished to see all the magistrates as fully respected as they were now. It would be remembered by their Lordships that the Local Government (Electors) Bill had on the 15th May been carried by a suspension of the Standing Order No. 35, and some women were admitted as voters for the County Councils on the same footing as the voters in the municipality of Belfast passed last Sel, but He could take no part in the Committee on the Bill, but would, if it were set down for a third reading, repeat the Motion of which he had given Notice that day, but which he now withdrew.

THE EARL OF KIMBERLEY said, that it must be a satisfaction to the Government that the noble Earl who spoke last but one did not move to reject the Bill, for throughout his speech he brought forward the strongest objections towards it. He (the Earl of Kimberley), on that occasion, appeared in the unwonted position of a supporter of Her Majesty's Government, and he was ready to avow that his own feelings towards the Bill were unquestionably friendly. He did not say it was framed entirely as he should like it, but as regarded the general purposes of the Bill, he heartily accepted it and believed it to be founded on just principles. The general policy of that Bill was to give to counties the power of managing their own affairs so long possessed by towns. Although he was the last person to say the County Magistrates had not admi-

rably discharged their duties, their jurisdiction had become an anachronism and an anomaly. That being so, the whole local administration was prejudiced. County administration had lagged far behind, and the time had come when it was necessary for the purpose of relieving Parliament and getting proper attention to local affairs, that the powers of county government should be extended. There was great objection to entrusting that enlarged jurisdiction to the magistrates, and the magistrates themselves felt that. The noble Earl was a little inconsistent, for, while he pointed out the differences between the towns and counties, he also found fault with the Bill because the large boroughs were taken out of the County administration. He did not share in the objection which he knew had been felt to the change made in the House of Commons. There was a very great distinction between the large towns and the rural districts. With regard to the point of the simplification of areas, he agreed with the noble Earl.

LORD BALFOUR said, he would call the noble Earl's attention to Clause 56, which contained very large powers for consolidating areas.

THE EARL OF KIMBERLEY thought those provisions were not likely to work very satisfactorily, and they related to the future only. What they had to look at was the present state of the Bill, which had not simplified areas, but had introduced very great complications. It provided that where a rural sanitary district ran into more than one county the larger part would go to the administrative county, and the smaller to the non-administrative county. There would be new districts specially constituted for the purposes of election. As the Bill originally stood it went further and constituted District Councils. He believed Her Majesty's Government proposed to introduce next Session a Bill dealing with that matter. He heartily hoped they would, and he hoped in doing so they would simplify the areas. The real object was to avoid multiplicity of elections. It would be a perfect nuisance; it would make people weary of them, and keep the best men from coming forward. They should elect for one area, and let that Body choose committees for the purpose of conducting the business of the smaller areas. The Bill was of very considerable importance, because it placed county government on the basis of direct election by the electors themselves. He was not alarmed at the terrible prospects of caucuses and wire-pullers. The country was full of such bodies already. Were they really to be told at that time of day, after they had trusted the management of the Empire to a House of Commons which was elected by all the people, that they should feel alarm because the affairs of the counties were to be handed over to them? As regarded the actual amount of business transacted by Quarter Sessions, there had been the grossest exaggeration. It was not to be compared in amount with that administered by Boards of Guardians. They must not suppose they were conferring upon the Councils such extraordinary weight and importance. He looked forward to those Bodies obtaining much larger powers than those given by the Bill. He would now refer very shortly to a few provisions of the Bill. In the first place, he greatly rejoiced that it dealt with the Metropolis. There was not anyone, he believed, who was not quite satisfied that the Metropolitan Board of Works had existed long enough. He had himself no prejudice against that Body. In 1855 he had charge of the Bill which was brought into the other House by Sir Benjamin Hall to create the Metropolitan Board of Works. But it was obvious that the Board had existed long enough. The mode of election of the Board was indirect; it was elected by the Vestries, and that did not strengthen the argument for indirect election. The Bill of Her Majesty's Government had this strong recommendation—that it proposed another form of election, which he hoped would be attended with better results. A great many were afraid that a good deal of political feeling would be introduced at these elections. But it had been pointed out, he believed by Mr. Chamberlain, a very good judge, that when political interest was taken in an election there was a great deal more life in it and a great deal more attention was directed to it. It was a considerable safeguard against corruption when everybody had an interest in watching what was going on. He would only say broadly that with such strong political feeling in this country you could not expect to keep politics out of

these elections. You must take the rough and the smooth, and he believed the consequences would be not so serious as some people expected. By this Bill we were going to introduce into our counties what from time immemorial had existed in the towns, and why should not the country people be able to conduct their business as well as the people of the towns? With regard to the police, he took exactly the opposite view to that of the noble Earl who had spoken last but one. He did not like the joint committee; he did not like the magistrates acting in conjunction with the County Councils in the matter; he did not understand why the County Councils should not discharge the duty as well as the Watch Committees in the towns. He thought it would be found very soon that these powers could be very safely transferred to the County Councils. It would not interfere with the duty of every Justice of the Peace, by virtue of his office, to see that the peace was preserved and to call upon the police to act for that purpose. As to the finance of the Bill, he could not say that he thought it was in a satisfactory position. None of the original arrangements contained in the Bill had been found satisfactory, and the Government, having no principle of their own on which to proceed, fell back on the proposal that a commission should be appointed practically without any guidance as to the principles on which to act, to apportion between the towns and the counties the sums which they were respectively to receive. All that was said was that an equitable division should be made as between towns and counties. The first proposal was that half the Probate Duty should be divided among them according to the number of indoor paupers in each county or district. He rejoiced that Her Majesty's Government had consented to abandon that proposal, not in the least because he did not think it was a great benefit that we should have a strict administration of the Poor Law, but because there was imminent danger of such a provision being taken advantage of to raise a prejudice against the administration of the Poor Law on the ground that it was harsh. He should regard that as a very great misfortune. He thought it would be far wiser that there should be no connection between the Poor Law administration and the financial provisions of this Bill. All sorts of suggestions had been made as to the principle of distribution, but he must candidly acknowledge that he had never seen a proposition thoroughly worked out which seemed to him to lead to satisfactory results. The only defence for the present proposal appeared to be that, the Government and the House of Commons not being able to satisfy themselves as to any proposed mode of division, the Bill fell back upon the simple plan of giving to each area that amount which it previously received from the Treasury. That had the merit of simplicity, but it was open to the obvious and serious objection that you would give money in proportion to the extravagance of each district. He believed it offered a distinct premium upon increasing the expenditure for the purpose of taking a larger share of the grant. But he freely admitted that he could not suggest anything better. He did not think that this system of distribution could be maintained, and he believed that some more scientific arrangement would hereafter be found necessary. The Bill, however, generally, was a thoroughly good step in the right direction, and he hoped their Lordships would pass it with a few changes.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, the speech of my noble Friend behind is, I think, the only one to which I need trouble to reply, and I am bound to say I should not be very careful to reply to him if he had not repeatedly claimed my sympathy in what he said. Now, I am bound to say that as I listened to him I thought that his whole language and tone was strained considerably too high for the very modest propositions contained in this Bill. He seems to be a person who insists in talking in blank verse on very commonplace topics. He summoned up dangers, talked of terrible catastrophes that were to come. He spoke, I think, of our dashing down hill with nobody looking after the reins, which were hanging about the horse's heels, and not knowing to what end we were to come. As to these dangers, not only do I not believe in them, but I do not in the least understand by what process of mind my noble Friend has got at them. I do not see

the hill down which we are supposed to be dashing. I see a gentle slope, and it seems to me so gentle a slope that I cannot see whether we are going up or down. The revolutionary dangers of which my noble Friend spoke as attaching to the changes which the Bill will make in all these matters are so small that the whole vocabulary of my noble Friend seems to me utterly out of place. It seemed to me to be as inappropriate as his observations on a former occasion, when he told us we were sweeping away the jurisdiction of 300 years. That sounds very terrible, but, as a matter of fact, I do not think that a single one of the powers we are transferring from the Justices to the new Councils are older than the present century, except, perhaps, the power of dealing with county bridges, which dates as far back as Queen Anne; but that is the extreme of the terrible destruction of antiquity with which my noble Friend charges us. The power over the police dates from the creation of the present Police Force in 1839. The power over lunatics dates from a Statute of George III. in 1808. The power over contagious diseases dates from 1866; and the power of granting music and dancing licences from about 10 years ago. I have here a list which gives all the powers transferred from the Quarter Sessions to the County Councils, and I think I have mentioned them all. The power over reformatory and industrial schools began in 1853. The arrangements for Parliamentary polling districts and the registration of voters were introduced in Mr. Disraeli's Reform Bill of 1867. The Adulteration Acts were enacted in 1873, and the explosive measures only four or five years ago. I literally cannot find, except the power over county bridges, a single one of the powers which we are transferring from Quarter Sessions to County Councils which is older than the present century. In these circumstances, to talk of this measure as a great revolutionary measure, and as upsetting the arrangements of centuries, was as much out of place as was the language of the noble Earl (the Earl of Rosebery) when he said the Bill meant the dethronement of squirearchy. All this was but the height of exaggerated language. I believe this is an important Bill and will do a great deal of good; but it deals with much more prosaic matters than those referred to by my noble Friend. There are two sorts of Bills which we are in the habit of passing through Parliament —one sort for gaining actual advantages —for the actual improvement of the machinery of our Constitution and laws; and there is another sort, and by no means the less important sort, of Bills, which, though they may improve the machinery of the law to a certain extent, are very much more directed to the removal of discontent, and the object of which is to make people more satisfied with the institutions under which they live. Now, the question we had to decide was, has a case arisen in the matter of the counties for applying legislation of this latter kind — legislation of the kind which is meant to make the people better satisfied with the institutions under which they live? Do not let me be represented as saying that we ought to consent to anything we think fundamentally bad. On the contrary, the whole of this measure is designed to do good, and by the nature of the case could not be exposed to that particular objection; and the question is whether we should get rid of the action of the magistrates, which, so far as it goes, is undoubtedly good. I say distinctly we do it in order to make our institutions more acceptable to the people; and, if you consider, you will see that there were elements of public opinion which I believe have only been kept inactive by the belief that the two Parties in the State were pledged to legislation on this subject, and that legislation must come sooner or later, and which, if unheeded, might have hardened discontent of, at all events, a very injurious, if not very dangerous, character. The first point that presented itself for consideration was the fact that municipal institutions had, as a matter of fact, been working in all parts of the country for a great number of years, not only without any dangers or revolutionary consequences, but also with the greatest possible advantage to the towns. I do not imagine anyone is prepared to say that the municipal institutions of the country have worked badly. It is true we have had the case of the Metropolitan Board of Works; but, as the noble Earl opposite has pointed out, that Body was elected under a system which is not that of our municipalities, which was much questioned at the time, and has been proved

to have worked badly. The people in the counties had before them this particular form of government, working with great success in the towns, and they must have been conscious, at the same time, that many of the objections to its being applied to the counties were by the progress of events and the process of time slowly wearing away. It is said there is a great distinction and difference between the towns and the counties; and so there is. But it is one of those differences of which the interval is filled up by an infinite number of gradations. There are constantly growing up all over the counties villages which are becoming more and more approximate to the character of towns, and with the desires and needs and aspirations of towns. Well, then, my noble Friend behind me is quite right in saying that the question of space is a serious difficulty, and constitutes a substantial difference between the conditions of the counties and the towns; but modern science has enormously diminished the applicability of that difference of space, and we know that people can get about in many counties with almost as much facility of speed as they could about our larger towns in times past. Then there was the other consideration that our political conditions had considerably changed. My noble Friend, in his speech, referred to the dead levels we were producing, and said that that was contrary to the essential idea of the Constitution of this country, and spoke of it in very eloquent terms; but when he spoke those words I could not help looking up and seeing before me in the Gallery the well-known figure of a distinguished Statesman who has only just left the House (Viscount Sherbrooke). I remembered that passage in which he dwelt on that same destruction of eminences—the same dead level in the political conflicts of 22 years ago. My Lords, I never differed very much from my noble Friend in his opinion as to those political conflicts; but the thing is done. You have got now, as the result of the political movement of the last 25 years, county constituencies differing in no respect from your urban constituencies; and you expect these people, exercising as they do a voting power on all the most important questions of the Empire, to acquiesce in the doctrine that they are not fit to manage their own affairs. Whatever your opinions may be as to the extension of the suffrage, you have got to admit it as a fact, and one of its most important results is this—that it has made the difference between the municipal institutions of the boroughs and those of the counties more glaring; and, of course, with the spread of the vote comes the spread of political aspirations. Many persons who are now occupying prominent positions in political life used municipal institutions in towns as stepping-stones to Parliament. I can think now of two or three very distinguished men who have owed their eminence to the ability they have displayed in the discharge of a municipal office; and the people in the counties naturally ask why they should be debarred from similar opportunities of advancing to dignity and power. My Lords, all these considerations seem to me to justify the Government in coming to the conclusion that to leave this anomaly as it stands, and to exclude the electors who vote for Members of Parliament from governing their counties, is to run the risk of creating considerable discontent—discontent which, as it goes on, must inevitably take that pernicious and dangerous form of jealousy of the classes that are above them—and we have to ask ourselves, What possible evil have we to fear that should induce us to abstain from a measure by which an end can be put to this discontent? My Lords, I quite agree in the tribute that has been paid to the administration of the magistrates, and I am very sorry for any inconvenience the magistrates may suffer in consequence of the passing of this Bill; but, in considering the subject, it is absolutely impossible to say that that matter is sufficiently important to prevent the passing of the Bill, or that any danger can be conjured up by the greatest pessimist that can be compared to the danger of producing discontent and ill-feeling among the rural population. The evil of leaving things as they are seem to me much greater than any evil that could possibly come from the Bill. I prefer to argue this question on the presumption that there will be a considerable change in the class who are to administer the powers conferred by this Bill. The hope has been frequently expressed in this debate that no such change would take place, and that prac-

tically the same class would be found foremost in the discharge of the duties of County Government as at present. I hope it may be so, but I do not look forward to it with absolute confidence. I am quite certain, however, that even if there is a great change in this respect, such are the safeguards which we have provided, and so little material danger is there in the subject which this Bill handles, that, even if you take the most gloomy view, I do not see any prospect of revolutionary change. I do not acknowledge that we are running a vehicle down the hill with the reins hanging about the horse's heels. All these fears appear to me to be exaggerated. I think, and I earnestly hope, that the forces which have given to the gentry of England their pre-eminence in their respective counties will still assert themselves. That pre-eminence is not due to the list of Statutes which I have cited as having been passed during the present century, but it is due to their essential qualities, their circumstances, and their ability. I do not in the slightest degree anticipate any social change or subversion as a consequence of this Bill. There may be more political life; there may be a multiplication of caucuses and wire-pullers. I regard these evils as matters of very slight importance. I believe that at the worst no harm will be done, and that the county populations will be more satisfied with our institutions than they now are; at the best, we have a right to anticipate that a very great improvement will be introduced into the management of our local affairs.

EARL BEAUCHAMP said, that there might be substantial reasons for keeping the County Divisions apart from the Parliamentary Divisions. In his opinion, however, it was desirable to do away with the most mischievous restriction as to the election of one member only for each district, and to provide a larger area for the elections. He also thought that provision ought to be made that those who contributed the rates which were to be raised should have full opportunity of stating their case to the Local Government Board either as ratepayers or as owners of property before any loan was raised, which must be paid for by those who owned property in the county. Considering the tributes which had been paid to the admirable manner in which the Justices had discharged their administrative functions, he thought their career was brought to an inglorious end by their being kicked downstairs in the manner proposed by the Bill.

EARL FORTESCUE said, he hailed with gladness the general principle of this Bill, and supported it with particular satisfaction, because more than 30 years ago he first publicly advocated entrusting representatives of the ratepayers with a fair share in the management of county business. He thought the noble Marquess had made out a conclusive case for bringing in a measure framed on the general principles embodied in the Bill. He had long been of opinion that the ratepayers should have a voice in the expenditure of county funds. There was, however, one portion of the Bill against which he earnestly protested—namely, the provisions for dealing with the Metropolis. The greatest City in the world, with a population exceeding that of Scotland and two thirds of that of Ireland, concentrated round the seat of the Imperial Legislature and Government, and wealth far exceeding that of either of the two Sister Kingdoms, ought hardly to be dealt with very much in the same manner as an ordinary city. Capitals in many different ages and countries, from Constantinople under Justinian to Washington, by the wise foresight of the founders of the United States, had been exceptionally legislated for. He had hoped that this question, like that of licensing, would be postponed. This hasty legislation was no doubt due to the recent scandalous disclosures about the Metropolitan Board of Works, which had completely verified the predictions he had ventured to make in 1855, when the Metropolis Management Act was before Parliament. The corruption of that Body was, however, not to be hastily attributed to the system of secondary election, for he had long ago exposed the abuses of the St. Pancras and Marylebone Vestries, which were elected under a wide franchise, although, in fact, few voters took part in the elections.

THE EARL OF POWIS said, that in Committee he would suggest some modifications in the Bill. With regard to the power given to the London Council to petition for a paid Chairman, he was of opinion that similar power should be given to the magistrates, as it would prove very useful in small counties,

Indeed, in small Welsh counties it would be a necessary provision.

On Question, *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

SOUTH AFRICA—OUTBREAK IN ZULULAND.—QUESTION.

THE EARL OF KINGSTON asked the Secretary of State for the Colonies, Whether the Government are in possession of any information showing that the Chief Usibebu has been in any way to blame for the outbreak in Zululand; and, if not, whether the Government will take steps to protect him and the loyal Zulus from further attacks by the Usutus? He further wished to know what would be done in Zululand after the disloyal Chiefs had been conquered?

THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): I can hardly at this time enter upon the general question which has been raised by the concluding observations of the noble Earl, and with reference to what should be done in Zululand when Dinuzulu and Undabuko have been conquered. I think it would be unwise for me, even if I were able, to offer a decided opinion. So far, however, as I can judge, there is no reason to doubt that the general principle upon which the Government have acted is sound—namely, that within tribal limits as much as possible the authority should be left to the Chiefs of tribes, but that all intertribal disputes or quarrels or difficulties should be referred to, and settled by, Her Majesty's Representative. As to what arrangements should be made subsequently, whether it would be better to remove Dinuzulu and Undabuko from Zululand, or to leave them there with shorn powers, I cannot give any opinion at present. I may, however, inform the noble Lord that I hope very soon soon to present Papers to Parliament which will practically answer the first part of his Question, and will show, I think, that the Chief Usibebu had not been to blame for the last outbreak in Zululand, unless it were that his return had increased the distrust and suspicion of Dinuzulu and Undabuko. The truth was that Dinuzulu had from the time Sovereignty was declared over Zululand, in May, 1887, shown a sullen resistance to British authority which had lately broken out into active hostility, whereas Usibebu was not restored until November, 1887. In August, 1887, Dinuzulu had made complaints that the promise that he should succeed his father Cetewayo was broken—a promise which I need hardly say was never made—and that we had handed over part of Zululand to the Boers—the fact being that we had saved a large part of Zululand to the Zulus over which they had given power to the Boers when they called the Boers in to aid them against Usibebu. We declared Sovereignty in the interest of the Zulus, and we shall maintain it in their interest. In January, 1888, Dinuzulu complained that Usibebu and his followers had taken grain from Usutu kraals in his location. In Usibebu's absence some Usutus had established themselves in that location, and this, on Usibebu's return, gave rise to some difficulties. But in March, 1888, Dinuzulu's messenger had an interview with Sir Arthur Havelock, and they were fully assured that compensation should be paid for all grain which could be shown to have been taken by Usibebu; that the value of the growing crops, which they could not be allowed to go in and reap, should be assessed and paid to them, and that the boundary should be revised. These promises have been fulfilled, so far as it lay in the power of the Government to do so; but, in May, Dinuzulu declined the compensation. In that month, also, he made raids on friendly Usutu Chiefs, Umnyamana and Siwetu, and it was not until June 23, after effective resistance had been made by him to our police and troops, that he attacked Usibebu in his location. This statement confirms, I think, the view that Usibebu is not to blame for the outbreak. With reference to the second part of the Question, the noble Earl will see that the steps the Government are taking to put down the two rebellious Chiefs mentioned, and to secure that peace and order which are absolutely necessary for the interests and welfare of the Zulus, are, undoubtedly, steps in the direction of protecting Usibebu and the loyal Chiefs from further attacks by the hostile Usutu Chiefs.

House adjourned at Nine o'clock, till Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 31st July, 1888.

MINUTES.]—SELECT COMMITTEES—*Report*—Corn Averages [No. 312]; Town Holdings [Inquiry not completed] [No. 313].

PUBLIC BILLS — *Ordered* — *First Reading* — Canal Development * [358]; Elementary Education (Continuation Schools) * [359]; Hawkers * [360].

First Reading—Pharmacy Act (Ireland), 1875, Amendment * [357].

Committee—Members of Parliament (Charges and Allegations) [336] [*Second Night*]—R.P.

Withdrawn—County Courts (Ireland) [166].

PROVISIONAL ORDER BILLS — *Considered as amended*—Public Health (Scotland) (Kirkliston, Dalmeny, and South Queensferry Water) * [327].

Third Reading—Elementary Education Confirmation (London) * [334]; Oyster and Mussel Fisheries (West Loch Tarbert) Confirmation * [323], and *passed*.

QUESTIONS.

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EAST INDIA (CONTAGIOUS DISEASES ACTS).

MR. JAMES STUART (Shoreditch, Hoxton) asked the Under Secretary of State for India, Whether he has received any communication from the Government of India respecting the Resolution of June 5 last, by which this House expressed unanimously its opinion that the Indian Contagious Diseases Act, and all other legislation in that country which enjoins, authorizes, or permits similar measures, ought to be repealed?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): It is yet too early to expect such a communication.

MR. JAMES STUART: I will ask the Question again on Friday, so that the hon. Gentleman may have time to make inquiries by telegraph.

SIR JOHN GORST: I cannot promise to telegraph, and no mail will be in before Friday.

MR. JAMES STUART: Does the hon. Gentleman say definitely that he will not telegraph?

SIR JOHN GORST: Yes, Sir.

MR. JAMES STUART: Then I shall bring the matter forward in another way.

IRISH LAND COMMISSION—THE LAND COURT—SITTING IN LONDONDERRY COUNTY.

MR. LEA (Londonderry, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If any date has been fixed for the sitting of a Land Court in the County of Londonderry?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me that a Sub-Commission has been sitting in the County of Londonderry since July 2, and is still there.

MARRIAGE LAWS (SCOTLAND)—FEES FOR PUBLISHING THE BANNS.

MR. PHILIPPS (Lanark, Mid) asked the Lord Advocate, If it be true that the clerk of the Kirk Session of Hamilton demanded and took a fee of 10*s.* for publishing the banns of John Gilmour and Helen Hoggan on May 27; if, in making that demand, he was acting in accordance with law; and, if the Kirk Session has been in the habit of authorizing him to charge that fee whenever the banns are published on a single Sabbath, and is justified in so doing?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The statement in the first Question is correct. The clerk was not acting in accordance with the Act of the General Assembly relating to this matter, which says that in no case should the fee for proclamation exceed 2*s.* 6*d.* It appears that the Kirk Session of Hamilton, and some other Kirk Sessions also, have construed the Rule to apply only to cases of proclamation on three successive Sundays, and exacted the extra fee where the proclamations were, by request, made all on one day. Attention was called to the matter before the Question was put upon the Paper, and the clerk returned the sum of 7*s.* 6*d.* to Gilmour.

POOR LAW (ENGLAND AND WALES)—RICHMOND WORKHOUSE—THE BOY PAGE.

MR. H. J. WILSON (York, W.R., Holmfirth) asked the President of the Local Government Board, If he is now able to say if it is a fact that a boy named Page was in the month of May kept in solitary confinement for 17 days in the cells of the workhouse at Rich-

mond, Surrey; for what offence he was confined, and by whose authority; whether the case was duly entered in the punishment book; whether the book was duly laid before the Board of Guardians at each of its meetings during the continuance of the punishment; whether the Board sanctioned this punishment before it was inflicted, or condoned it after it was inflicted; whether such punishment was legal; and, what steps he has taken, or intends to take, in reference to this matter?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): I have made inquiry respecting the case of the boy Page referred to. It appears that frequent complaints had been made as to the constant habit of the boy of annoying other inmates of the Richmond Workhouse both by day and night. For instance, there were complaints of his stripping the bed clothes from the old men when in bed, taking their crutches away from them in the daytime, and stealing into the sick wards and robbing the patients of their milk and other portions of their diet. It was in consequence of this that the boy was placed in one of the separate compartments in the vagrant wards, and was kept there for about 17 days. The master acted on his own authority in the matter, except that he reported verbally to the Guardians that the boy was very troublesome, and was told to keep him apart from the other inmates, and to do the best he could with him. No entry of the case was made in the punishment book, the master considering that the boy was not placed in the ward as a punishment, but simply to keep him from annoying the other inmates. When the facts were brought under the knowledge of the Guardians they considered the course which had been taken altogether irregular, and the master was reprimanded by them. It appears to me that there was no legal authority for the course adopted by the master in this case; and he has been severely censured by the Local Government Board, and has been warned by them as to his future conduct.

CHARITY COMMISSIONERS — HOLLOWAY SANATORIUM HOSPITAL FOR THE INSANE.

MR. H. J. WILSON (York, W.R., Holmfirth) asked the hon. Member for the Penrith Division of Cumberland, with reference to the advertised notice of the Charity Commissioners in the matter of the Holloway Sanatorium Hospital for the Insane, Whether they will place in the hands of those who desire information on the subject the Draft Scheme for the future regulation and management of the Charity, or such other particulars as will render it possible to offer objections, or suggest modifications, in accordance with the terms of the notice; and, whether the names of the Trustees and Committee of Management, who are to be empowered to make certain Rules and Regulations, can be supplied?

MR. J. W. LOWTHER (Cumberland, Penrith): The answer to both the Questions of the hon. Member is in the affirmative.

POOR LAW (IRELAND)—BOARDS OF GUARDIANS—THE ULSTER SOCIETY SCHOOL FOR THE BLIND, &c. (BELFAST).

MR. DEASY (Mayo, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, What steps the Local Government Board adopt to satisfy themselves that deaf, dumb, and blind children, sent by Irish Boards of Guardians to the school of the Ulster Society for the Promotion of the Education of Deaf, Dumb, and Blind Children at Belfast, and paid for by the Guardians out of the rates, are properly fed, clothed, and afterwards apprenticed to some trade, according to the declared objects of the Institution?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Local Government Inspector of the district has made particular inquiry about the Institution in question, and is of opinion there is no reason whatever to believe it is not properly conducted, or that it does not carry out its undertakings. If, however, any Board of Guardians considers it has cause for complaint against the Institution, and will communicate with the Local Government Board on the subject, further inquiry will be made.

MONTE CARLO—REPORTED SUICIDES.

MR. S. SMITH (Flintshire) asked the Under Secretary of State for Foreign Affairs, Whether his attention has been drawn to the following account given in

The Piedmontese Gazette of the suicides which take place at Monte Carlo as the result of the gambling which is allowed there, several of them being of English people :—

"Suicides at Monte Carlo are of frightful frequency. Since the case of Juan Calvados there have been another 30, which, with 19 I have already mentioned, brings the sum total to no less than 49 in two and a-half months. Every night the grounds are carefully searched by the police after the casino has closed. One man drags a covered spring cart, the wheels of which have india-rubber tires. When a body is found —for which a reward is given—it is immediately stripped of clothes and valuables, thrust into the cart, and silently hurried away and buried;"

and, whether the Government will endeavour, by concerted action with the other European Powers, to put an end to the gambling which prevails there, and is attended by such lamentable results?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): Her Majesty's Government have not received information to confirm the statements made in the newspaper quoted by the hon. Member. Her Majesty's Government could not propose concerted action with reference to the State of Monaco upon a newspaper paragraph, of the truth of which they have no knowledge, nor in any case would it be especially their duty to do so.

FRIENDLY SOCIETIES—BELFAST AND COUNTY DOWN RAILWAY SERVANTS' PROVIDENT SOCIETY — RULE 12.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked the Secretary of State for the Home Department, Whether his attention has been given to Rule 12 of the "Rules of the Belfast and County Down Railway Servants' Provident Society, established July 1, 1888," which directs that—

"All persons at present in the service of the Company, being males, in receipt of wages, shall become members of this Society, and also, all such persons hereafter entering the service of the Company;"

whether Rule 3 directs that each member shall submit to a certain deduction from their wages; whether the Registrar of Friendly Societies has refused to sign the Rules; and, whether the imposition of such Rules upon any servant of the Company against his will is legal?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) (who replied) said: The Registrar declined to register the Rule for compulsory membership, and returned the Draft Rules for amendment. The Company has not yet submitted amended Rules.

RAILWAYS (IRELAND)—ACCIDENT ON THE WATERFORD, DUNGARVAN, AND LISMORE RAILWAY.

MR. PYNE (Waterford, W.) asked the President of the Board of Trade, If he has seen the account of a railway accident which occurred on the Waterford, Dungarvan, and Lismore Railway on Monday last; is it a fact that the accident was caused by a rotten sleeper; when, and by whom, was the line last inspected; whether he will order the traffic to be stopped until the line has been re-inspected; and, if any accident happens on this guaranteed county line involving damages, will the auditor calculate the amount of expense that may be awarded as working expenses in assessing the amount of dividend payable by the ratepayers of the county on guarantee?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, the cause of the accident would be inquired into. Before the line was opened it was inspected by a Board of Trade Inspector. That was in 1878. On March 20, 1888, the engineer of the Company, as required by the provisions of the Regulation of Railway Act, 1871, certified that the permanent way and works had been maintained in good condition up to December 31, 1887. If the Board of Trade had reason to believe that the line was in a dangerous condition they would at once order a fresh inspection. He had no knowledge which would enable him to answer the last paragraph of the Question.

LAW AND JUSTICE (IRELAND)—CO. ANTRIM GRAND JURY—APPOINTMENT OF MR. DAVIDSON AS BARONIAL HIGH CONSTABLE.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the appointment by the County Antrim Grand Jury of Mr. Davidson as Baronial High Constable on the terms of giving him 9*d.* in the £1, Whether he is aware that Mr. Hill, who offered to do the

work for half that amount, was prepared to give two sufficient and unobjectionable sureties as required by the Grand Jury Act; whether he is aware that under the Grand Jury system in Ireland similar appointments are frequently made; and, whether he will now support such a Bill for the reform of the Grand Jury as was introduced during the present Session by the hon. Member for North Kildare (Mr. Carew)?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): As I have already stated, in reply to a Question put a few days ago by the hon. Member for Falkirk (Mr. W. P. Sinclair), I am informed that the rate of 9*d.* in the £1 has existed for some years, having been recommended by a Committee appointed by the County Antrim Grand Jury to consider the remuneration to be allowed. The question the Grand Jury had, therefore, before them was whether Mr. Davidson or Mr. Hill should be appointed at the fixed rate of 9*d.*, and they appointed the former, as in their opinion the best qualified. In view, however, of Mr. Hill's offer to do the work at so low a rate as 4½*d.*, the Grand Jury at the same sitting appointed a Committee to again consider the question of what would be a fair uniform rate of allowance throughout the county, this Committee to report at next Assizes.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): Is the right hon. Gentleman aware that the difference in the amount paid for the work, and what that could have been done for by a competent and solvent person, is £1,000; and I wish to ask him whether the Government will take any steps to save the ratepayers from an unnecessary charge imposed upon them by a non-representative Body?

MR. A. J. BALFOUR: I am unwilling to offer any general observations in answer to a Question on Local Government in Ireland; but I may say that I do not believe that any change introduced into the present system, however desirable it might be on other grounds, would conduce to economy.

WAR OFFICE (AUXILIARY FORCES)—THE MILITIA—PRIZES FOR SHOOTING.

MR. RADCLIFFE COOKE (Newington, W.) asked the Secretary of State for War, Whether, by the Regulations for the Militia, paragraph 698, prizes for good shooting are granted to each battalion of Militia on the following system:—To the best shot of the sergeants of the permanent staff, £3; to the best shot of the non-commissioned officers and men, £2 10*s.*; to the second best shot as above, £1 10*s.*; to the best shot of each company, £1; and to the second best shot, 10*s.*; and, whether the Government will consider the advisability of altering the above system in such a way as to induce moderate and inferior shots to take more trouble to improve their shooting than they now do, as, for example, by giving 2*s.* 6*d.* per man to the best shooting company of the battalion, and dividing the balance among the best and second best shots in all the companies, or in some other way, which should induce each man to shoot his best in order to secure the best return for his company?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The present distribution of prizes for shooting in a battalion of Militia is as stated in the Question. It is in contemplation before the next training to re-distribute the amount allowed, so that a larger number of men shall participate, and in that I quite agree with my hon. Friend; but I do not think that his particular proposal would answer, as if a strong company won the prize there would be very little left for the other companies. The whole matter will, however, be carefully considered.

WAR OFFICE (AUXILIARY FORCES)—MILITIA SUBALTERN OFFICERS—SCHOOL OF MUSKETRY AT HYTHE.

MR. RADCLIFFE COOKE (Newington, W.) asked the Secretary of State for War, Whether, by the Regulations for the Militia, paragraphs 377 and 378a, subaltern officers of Militia are permitted to attend a course of instruction at the School of Musketry, Hythe, only with a view to their qualifying as musketry instructors of their respective battalions, and captains of Militia only with a view to their appointment as instructors upon certified statements that no subalterns are available; whether the effect of these Regulations is to limit the number of Militia officers who have been through the Hythe course to

one per battalion at most; and, whether the Government will consider the advisability of altering the present Regulations, so as to permit Militia officers to undergo a course of instruction in musketry at Hythe without any of the limited conditions above-mentioned?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): As both the accommodation and the instructional staff at Hythe are limited, and the requirements of other services than the Militia have to be considered, the restrictions on the number of Militia officers instructed are substantially as stated in the Question; though they would not be enforced whenever there might be additional room available. The effect has not been to limit the number of Militia officers who have been through the Hythe course to one per battalion, as this number is exceeded in many battalions, and in one no less than eight officers hold musketry certificates.

WAR OFFICE (AUXILIARY FORCES)—OFFICERS OF INFANTRY MILITIA—SCHOOL OF MILITARY ENGINEERING, CHATHAM.

MR. RADCLIFFE COOKE (Newington, W.) asked the Secretary of State for War, Whether, by the Regulations for the Militia, paragraph 359, officers of Infantry Militia are forbidden to attend classes formed at the School of Military Engineering, Chatham; whether there is a special course of instruction at Chatham in field fortification which officers of the Line are permitted to attend; whether the Government will consider the advisability of altering the present Regulations, so as to permit at least one officer of Militia per battalion to attend such course of instruction at Chatham, in order that there may be in each battalion one officer capable of teaching field fortification of a simple character?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The answer to the first two Questions of my hon. Friend is, Yes. With regard to his third Question, I must observe that the School of Military Engineering at Chatham primarily exists for the instruction of officers and men of the Royal Engineers, and any instructional power which may remain after that object has been attained must be devoted to the Cavalry and Infantry of the Regular Army.

CONTAGIOUS DISEASES (ANIMALS) ACT—ANTHRAX.

MR. W. A. M'ARTHUR (Cornwall, Mid, St. Austell) asked the noble Viscount the Member for Lewisham, Whether he can state to the House the result of recent inquiries into the disease of anthrax; and, whether any compensation can be paid for cattle slaughtered by Order when suffering from anthrax?

VISCOUNT LEWISHAM (Lewisham): No special inquiries have recently been made into the nature of the disease. The Anthrax Order does not provide for compensation. I informed Mr. Tapling on July 6 that—

> "Compensation was only provided when compulsory slaughter was required to prevent the spreading of disease."

But in anthrax animals died so soon after being attacked that slaughter could very rarely be enforced; and, further, it is very desirable to avoid effusion of blood, which is highly infective to other animals.

RAILWAYS—FATAL ACCIDENT AT HYDE JUNCTION.

MR. SUMMERS (Huddersfield) asked the President of the Board of Trade, Whether his attention has been called to the recent railway accident at Hyde Junction, in which four persons were killed, and many seriously injured; whether his attention has been drawn to the evidence adduced at the inquest, showing that the accident might have been averted if there had been communication cords between the carriages of the train, and to the recommendation of the jury that there should be a communicating cord attached to every passenger train, whatever distance it might travel; and, whether he will take into consideration the advisability of proposing legislation in accordance with this recommendation?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, his attention had been drawn to the matter, and that the recommendation of the jury should receive consideration.

MERCHANT SHIPPING—WRECK COMMISSIONER'S COURT—RECONSTRUCTION.

MR. SETON-KARR (St. Helen's) asked the President of the Board of Trade, Whether, in arranging any reconstruction of the Wreck Commissioner's Court, he will take into consideration whether, in order to promote the more rapid transaction of the business of the Court, the work can be divided, by locality, among two or more Commissioners, as allowed by the Act (39 & 40 *Vict.* c. 80); and, whether, in selecting Commissioners, the endeavour will be made to secure the services of those who are not only acquainted with law and legal procedure, but also with the technicalities of navigation and shipping affairs generally?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, that provision had already been made for securing the division of the work by locality in England, Ireland, and Scotland. He did not think that the appointment of more than one Wreck Commissioner, as suggested by the hon. Member, was necessary.

SOUTH AFRICA—SWAZILAND.

MR. J. CHAMBERLAIN (Birmingham, W.) asked the Under Secretary of State for the Colonies, Whether, under the Convention of February 27, 1884, with the Transvaal, Her Majesty has the right to appoint a Commissioner for Swaziland; whether the King of Swaziland has petitioned for this appointment, and has offered to pay the costs; whether the appointment is also asked for by a large number of merchants and Mining Companies interested in Swaziland; and, whether it is the intention of the Government to comply with this request; and, if not, why not?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham) (who replied) said: Under Article 2 of the Convention of February 27, 1884, Her Majesty has the right to appoint Commissioners in the Native territories outside the Eastern and Western borders of the South African Republic, in order "to maintain order and prevent encroachment." Swaziland is such a Native territory. The King of Swaziland has sent messengers asking for the intervention of this country, and for the appointment as British Resident of Mr. Theophilus Shepstone, C.M.G., who is his present chief adviser. The King offered, in 1887, to pay the salary of this officer if required to do so. The appointment has also been asked for in a Petition received from a number of persons or firms residing in Natal and elsewhere and interested in Swaziland. The appointment of a Resident or Commissioner has not been made; as Her Majesty's Government, after full consideration and communication with Sir Hercules Robinson, have been of opinion that circumstances have not rendered advisable that form of interference in the internal affairs of Swaziland.

BOARD OF TRADE—WRITERS—PAYMENT OF WAGES.

MR. LAWSON (St. Pancras, W.) asked the President of the Board of Trade, Whether he is aware that the writers employed in his Department do not receive the weekly wages, due to them every Friday, until late on the following Saturday afternoon; and, whether he can see his way to consult the convenience of the men by allowing them, as is the practice in most of the other Departments, to receive their wages either on the evening of the day on which they become due, or at latest on the following morning?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, that no complaint had been received by him from the writers or any other officials connected with the Board of Trade on this subject. He had received a communication from all the writers in the Board of Trade Office to the effect that they observed with surprise that Mr. Lawson would ask a Question with reference to the payment of the writers attached to the Office, and much regretted that such a Question should be raised. They desired to disclaim any knowledge of the Question, and to state that no such inconvenience had been occasioned to them by reason of the existing practice.

IRISH LAND COMMISSION—SUB-COMMISSIONERS.

MR. MAURICE HEALY (Cork) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the full number of Sub-Commissioners, approved

of by the Treasury, have been appointed by the Land Commission, and are employed in fixing fair rents?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I see that the total number of Assistant Commissioners approved by the Treasury, and provided for in the Estimates, have not yet been appointed. The hon. Gentleman is aware that the whole question of the appointment of these Sub-Commissioners has been hung up, pending the decision at which the House was likely to arrive with regard to the Land Law (Ireland) (Land Commission) Bill. The failure to dispose of that Bill necessarily involves the whole question in some uncertainty; and I am sorry that at present I cannot give any definite answer to the House.

In reply to a further Question,

MR. A. J. BALFOUR said, he believed that at the present time 10 Sub-Commissioners were appointed, and that 13 had been sanctioned.

MR. MAURICE HEALY: When may we expect a definite announcement as to the appointment of fresh Sub-Commissioners?

MR. A. J. BALFOUR: I shall be glad if the Question is repeated before this part of the Session closes.

POST OFFICE—LOSS OF LETTERS IN NEW CROSS DISTRICT.

MR. BRADLAUGH (Northampton) asked the Postmaster General, Whether he has had reported to him further cases of loss of letters in the New Cross district; and, whether he can give the House any information as to the persistent loss of letters in the case referred to?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): In reply to the hon. Member, I have to state that within the last few days a complaint has been received from a person in the New Cross District of the loss of three letters addressed to him, and that special inquiry is being made on the subject. The hon. Member is, I think, aware that no pains were spared to discover the offenders when he previously called my attention to a similar case. This is the first complaint of the kind which has been received from the person in question during the last two months; and I find that the losses of letters in the New Cross District are much less numerous than they formerly were.

METROPOLITAN POLICE—THE "FROG'S MARCH."

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Secretary of State for the Home Department, If there is any truth in the statement that his orders have been infringed lately with regard to the Special Reports which the Metropolitan Police are bound under the Order of January, 1885, to send in, in cases where they have been obliged to use the "frog's march" in conveying refractory prisoners?

THE UNDER SECRETARY OF STATE (Mr. STUART-WORTLEY) (Sheffield, Hallam) (who replied) said: I am informed by the Commissioner of Police that he is not aware of any case where the "frog's march" has been used without a Special Report being made, as required by the Order of 1885.

PRISONS BOARD (IRELAND) — THE LATE MR. MANDEVILLE—REMOVAL TO TULLAMORE GAOL.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the statement of Major Roberts, Governor of Cork Prison, in giving evidence at the inquest on the late Mr. John Mandeville, that he received an order from the authorities at Dublin Castle to have Mr. Mandeville in readiness for removal to Tullamore at 5·15 a.m. too late the night before to allow of his complying with the Rule of the Prisons Board, which requires a doctor's certificate of fitness for removal previous to such removal; who is responsible for this breach of the Prison Rules; and, what was the necessity for removing a prisoner at such an hour on a November morning?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Mr. Mandeville had not been two days in Cork Prison when the order for his transfer to Tullamore was issued. It was not, therefore, regarded as an ordinary removal requiring a medical certificate, as his health could not have been affected during his imprisonment to such an extent as to prevent his removal. The reason of his removal from Cork at such an early hour was the desire to avoid any popular disturbance.

MR. EDWARD HARRINGTON (Kerry, W.): Is there not amongst the printed Rules hung up in a prisoner's cell an express Rule providing that no person shall be removed from the gaol in which he is confined except under certificate of the medical officer who had examined him?

MR. A. J. BALFOUR: Yes, Sir; and in the answer which I gave I explained why it was that the Rule was not thought to be applicable in this special case.

MR. COBB (Warwick, S.E., Rugby) wished to know whether the Governor of Cork Prison had not admitted, in his evidence before the Coroner's Jury, that he had infringed the Rules in allowing Mr. Mandeville to be removed without a medical certificate?

MR. A. J. BALFOUR supposed the Governor of Cork Prison alluded to the same circumstance to which he had just referred.

POST OFFICE (IRELAND)—MAILS BETWEEN GALWAY AND CLIFDEN.

MR. PINKERTON (Galway) asked the Postmaster General, If Mr. Cunningham, of Galway, Mr. Naughten, of Oughterard, and Mrs. Lydon, of Clifden, have been contractors for the last five years to carry the mail between Galway and Clifden; if, during that time, they have discharged their duties to the satisfaction of the Postal Authorities; and, if so, why has the contract been taken from them; is it a fact that they have done the work for a sum considerably under that paid to the previous contractor; and, if he is prepared to state the amount per annum paid to those parties, and also the price to be paid to the new contractor?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The persons referred to have held the Clifden night mail contract for about the time specified, and, so far as I am aware, have done their work satisfactorily. The payment they have received has not been lower, but higher, than that paid to the previous contractor. Repeated applications for a day as well as a night mail service having been made, and a competent contractor having been found willing to do both services for a price, but slightly exceeding that paid for the night service alone, I have given notice to terminate the existing contracts. The sum paid for the night mail service is £500 a-year, and the sum to be paid to the new contractor for both day and night services is £550.

THE MAGISTRACY (IRELAND)—THE PETTY SESSIONS AT NEWTOWNARDS—NON-ATTENDANCE OF MAGISTRATES.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a statement in *The North Down Herald*, of July 13, that no magistrate attended to hold the Petty Sessions at Newtownards Courthouse on Thursday, July 12; whether he can state the cause of their non-attendance; and, whether he will direct the attention of the Lord Chancellor to the matter, in order that magistrates may be appointed who will attend to their duties in this district?

MR. JOHNSTON (Belfast, S.): Before the right hon. Gentleman answers the Question, I wish to ask whether it is in accordance with the usages of the House that a Question put and answered yesterday should also be put the next day?

MR. M'CARTAN: The Question was not answered yesterday, as the right hon. Gentleman had not got the information. The only attempt at answering the Question was that made by the hon. Member for South Belfast.

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am informed that the non-holding of the Petty Sessions in question was principally due to the necessary absence of the Resident Magistrate, who was on duty at Downpatrick in charge of the police, and also that some of the Local Justices had to attend the assembly of the County Grand Jury that day. I am further informed that the attendance of Local Justices at these Petty Sessions is regular and large, the Bench being sometimes overcrowded. There does not, therefore, appear to be any ground to adopt the course suggested.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): May I ask, whether the Magistrate who usually presides over these Petty Sessions is the Lord Lieutenant's agent, Mr. Brownlow; and whether he was absent on that day, attending an Orange meeting; and whether a great number of solicitors,

and suitors, and witnesses were fruitlessly in attendance; and, whether the right hon. Gentleman will take any steps to prevent a recurrence of such great public inconvenience without reasonable cause?

MR. JOHNSTON: May I ask the right hon. Gentleman, whether he has any reason to believe that the Nationalist solicitors were there on purpose to make a grievance?

COLONEL WARING (Down, N.): May I also ask the right hon. Gentleman, whether it is a fact that Mr. Brownlow, the Lord Lieutenant's agent, is the magistrate who usually presides over these Sessions?

MR. A. J. BALFOUR: I am not acquainted with the particular facts in relation to the several Questions which have been asked without Notice; but from the facts which have been brought to my notice, and which have been communicated to the House, it would appear to me that there seems to be no such general inconvenience suffered by suitors as would justify the action suggested.

LITERATURE, SCIENCE, AND ART—PHOTOGRAPHIC SURVEY OF THE HEAVENS.

SIR HENRY ROSCOE (Manchester, S.) asked Mr. Chancellor of the Exchequer, Whether the astronomical instruments for the international photographic survey of the heavens, recommended by the Royal Societies of London and Edinburgh and the Board of Visitors of the Greenwich Observatory, the estimates for which have been forwarded from the Admiralty some months since to the Treasury, are yet ordered; and, if not, whether, in view of the fact that all the 13 other sets of instruments were ordered by Foreign and Colonial Governments last year, and, consequently, the British Observatories will be placed at a serious disadvantage, Her Majesty's Government will be prepared to put the necessary amount on the Estimates in order to avoid further delay?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's. Hanover Square): The astronomical instruments required for the international photographic survey of the heavens have not yet been ordered; but the House will soon be asked to vote the necessary funds. It is, I believe, the case that 13 instruments have been already ordered by different Powers and Public Bodies; but the hon. Member is mistaken in supposing that all the Powers whose co-operation is contemplated have as yet ordered their instruments. On the contrary, two of the Great Powers, so far from ordering their instruments, have not yet definitely declared their intention to take part in the work. I do not think there is any cause to fear that Great Britain will be behindhand in the matter.

PRISONS BOARD (IRELAND)—PHYSICAL EXAMINATION OF CONVICTED PRISONERS.

DR. KENNY (Cork, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, under the Prison Rules, Ireland, convicted prisoners of every class are obliged to submit themselves to physical examination by any stranger who represents himself as authorized by the General Prisons Board to visit them for that purpose, but who refuses to state to them his name, or that he is a medical man qualified to perform such examination?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The General Prisons Board report that no prisoner has been obliged to submit to physical examination.

DR. KENNY: May I ask whether the plan of sending a stranger to examine prisoners is confined to the cases of Mr. Dillon and other political prisoners, or is it the usual course? Moreover, with regard to the appointment of Dr. Barr, I would ask the right hon. Gentleman whether he has received any complaints from physicians in Dublin that they are being Boycotted, because I thought I was the only Boycotted physician in Dublin myself?

MR. A. J. BALFOUR: Of course, the physicians to whom I alluded were physicians of prisons. It was for their protection that I requested that an English officer should be sent over.

DR. KENNY: But are there not medical men of great skill and experience in Dublin who might have been called upon to visit the Irish prisons instead of retaining the services of an Englishman, as being more likely to screen the prison officials?

MR. A. J. BALFOUR: I do not know what the hon. Gentleman means by screening the officials.

DR. KENNY: The right hon. Gentleman has not answered my Question.

MR. CLANCY (Dublin Co., N): May I ask whether any prisoners other than Irish political prisoners have been presented to Dr. Barr for examination?

MR. A. J. BALFOUR: It was in connection with the persons whom the hon. Gentleman is pleased to describe as political prisoners that the special form of intimidation of which I complained was likely to occur.

MR. MAC NEILL (Donegal, S.): Arising out of the answer of the Chief Secretary——

MR. SPEAKER: Order, order!

THE MAGISTRACY (IRELAND)—KILRUSH PETTY SESSIONS—MR. CECIL ROCHE, R.M.

MR. JORDAN (Clare, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been directed to a report in *The Daily News* and *Freeman's Journal*, of the 24th instant, of the proceedings in the Petty Sessions Court of Kilrush, on Monday 23rd instant, presided over by Mr. Cecil Roche, R.M., and Captain Welsh, R.M.; whether, in an address from the Bench, Mr. Roche reflected on the clergy of the district as follows—namely,

"These ignorant peasants have been thus excited and encouraged to set the law at defiance and resist the execution of the Queen's writ by those who ought to act as their spiritual guides and advisers, and not to advise them to break the law;" "Those responsible for all this are not in the dock, but others whom I can name and who are known to every person I am addressing;"

whether the statement of Mr. Cecil Roche is confirmed by information in the possession of the Chief Secretary; and, if so, why the authorities fail to prosecute those they think to be the more guilty parties; whether proposals of the priests for a settlement with the landlord have been endorsed by the efforts of Mr. Micks, Local Government Inspector; whether, when the clergy and others in the Courthouse, on the delivery of Mr. Roche's address, were in the act of leaving, Mr. Roche "excitedly called on them to come back," and ordered the constable "to arrest anyone who attempted to leave," until he would have finished; whether he will state by what law or authority Mr. Roche was warranted in ordering said arrests; whether he is aware that during the evening the clergy in the Parochial House passed a Resolution protesting against the language of Mr. Roche; and, whether he intends to take any action in consequence of these occurrences?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I understand that on the occasion referred to Captain Welch was not present. Mr. Roche used the words attributed to him. I have received independent statements confirming Mr. Roche's view. I am not aware whether there is any legal evidence of an offence against the law. If there is, the propriety of the course advocated by the hon. Member may be worth consideration. The fifth, sixth, and seventh paragraphs refer to a demonstration in Court which it was Mr. Roche's duty and right to check. No action on the part of the Government seems necessary.

MR. JORDAN: The right hon. Gentleman did not answer the fourth paragraph of the Question.

MR. A. J. BALFOUR: No; I did not. I have not got the information.

MR. JORDAN: I will put that paragraph again. Meanwhile, I will ask the right hon. Gentleman whether he will take steps to compel Mr. Roche to behave decently in Court?

MR. A. J. BALFOUR: Mr. Roche does behave decently; and it was in an endeavour to compel some decency in Court that he made the observations referred to in the Question.

MR. W. REDMOND (Fermanagh, N.): I beg to ask the right hon. Gentleman whether, in the interests of law and order, in Ireland, he will direct Mr. Roche not to use insulting language against the priests?

MR. A. J. BALFOUR: I am not aware that Mr. Roche did use insulting language against the priests.

EVICTIONS (IRELAND)—THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE — ALLEGED ALTERCATIONS.

MR. JORDAN (Clare, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to the report in *The Free-*

man's Journal, of Friday, July 20, of an altercation between Colonel Turner, Dr. Counsel, the tenants' law adviser, and a Mr. Arthur Patton, B.L.; whether it is true that Colonel Turner ordered Dr. Counsel to stop speaking and go outside the lines, while Mr. Patton was permitted to say all he desired and remain within; whether his attention has been directed to a report in the same issue of an altercation between Mr. Cecil Roche, R.M., Mr. Arthur Patton, and the hon. Member for West Clare; whether Mr. Roche commanded his police to put the hon. Member outside the lines, and whether Mr. Patton was permitted to remain in companionship with Mr. Roche; whether he will state by what law or authority Colonel Turner and Mr. Roche so acted; and, whether, in similar cases in future, all parties shall be treated alike?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Colonel Turner informs me that he had no altercation with Dr. Counsel. He was not ordered to go outside the lines, nor did he do so. I understand that the hon. Member for West Clare made a noisy interruption during the magisterial investigation by Mr. Roche. He was, in consequence, removed from the vicinity, though not outside the lines. All persons who behave alike are treated alike.

MERCHANT SHIPPING—EXPLOSION ON A TRAWLER IN THE NORTH SEA—ENGINEERS' CERTIFICATES.

MR. BROADHURST (Nottingham, W.) asked the President of the Board of Trade, Whether it is true that two deaths have recently occurred in Great Yarmouth Hospital through injuries received by the explosion of a boiler on board a trawler in the North Sea; and, if so, whether he can say whether or not the engineer held a Board of Trade certificate of competency; and, whether a full inquiry into the cause of the accident, and a Report thereon, will be ordered by the Board of Trade?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.): Yes, Sir, it is true that the deaths referred to by the hon. Member have occurred. There was no engineer on board, as the vessel in question is a sailing vessel, which was not required by law to carry a certificated engineer. Inquiry has been ordered under the Boiler Explosions Act.

IRELAND — CUSTOMS OFFICERS, QUEENSTOWN—THE ALLAN STEAMSHIP COMPANY.

MR. LANE (Cork Co., E.) asked the President of the Board of Trade, Whether the Customs officers at Queenstown, or the Harbour Board of Cork, refuse to give the Allan Steamship Company the same facilities for taking cargo on board their steamers at Queenstown that are given to other Transatlantic Companies; and, if not, whether he can explain why the Allan Company refuse to take cargo at Queenstown, and compel Irish and especially Cork merchants to send their goods, at great inconvenience and expense, to Liverpool for shipment on board board steamers which call at and remain in Cork Harbour for several hours on the following day?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.): I am informed that, as far as the Customs officers at Queenstown are concerned, there has been no refusal to give the Allan Steamship Company the same facilities for loading cargo on board their steamers at Queenstown as are given to other Transatlantic Companies; and the collector at Cork, in whose district Queenstown is situated, expressly says the agents of that Company are satisfied with the facilities afforded, and that no complaint has ever been made with regard to them.

METROPOLIS—LAND AT BATTERSEA—THE VESTRY OF ST. JAMES'S, WESTMINSTER.

MR. O. V. MORGAN (Battersea) asked the First Lord of the Treasury, in reference to the Memorial from the Vestry of St. James's, Westminster, Whether the Treasury will be prepared to re-open the financial questions as to the Battersea land, &c., named therein; or, whether he will give the decision on the Memorial before the close of the Session, in time to render such decision available before the new London County Council takes over the government of London?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The answer from the Treasury to the Me-

morial from St. James's Vestry has already been sent, and it is to the effect that the Department are not prepared to re-open the question on the terms suggested by the Vestry.

MR. O. V. MORGAN said, that on Friday he should move that the whole of the Correspondence should be laid on the Table.

THE INQUEST AT MITCHELSTOWN ON MR. MANDEVILLE.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I wish to ask the right hon. Gentleman the Chief Secretary a Question arising out of an answer which he gave yesterday. I did not hear it, but he is reported to have stated that he was very desirous that the whole truth relating to the Mandeville inquest should be placed before the public in the most prominent manner, and that he would use every effort to do so. I wish to know whether the Government are in possession of the shorthand writers' notes of the evidence; and whether the right hon. Gentleman will lay on the Table of the House an authentic copy of the proceedings, and of the evidence taken? Of course, I have not been able to give Notice of the Question; but if the right hon. Gentleman cannot answer it now I shall put it on Thursday.

MR. SHAW LEFEVRE (Bradford, Central): I wish to ask the right hon. Gentleman a Question of which I have given private Notice—Whether he will lay on the Table of the House a copy of the orders sent from the Prisons Board in Dublin to Tullamore with respect to the treatment of Mr. Mandeville, which the Governor of the gaol refused to produce at the inquest?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): With reference to the Question of the right hon. Member for Central Bradford, I fancy it would be an unusual course to lay documents of that kind on the Table of the House, but I must have some Notice. If the right hon. Gentleman will put a Question to me on Thursday I will consider the propriety of the course suggested. With reference to the Question of the right hon. Member for Mid Lothian, I believe shorthand notes have been taken of the evidence. If that is so, I shall be glad to lay them on the Table of the House.

MR. W. E. GLADSTONE: With the record of the proceedings of the Court?

MR. A. J. BALFOUR: Yes. I should imagine it would include that.

MOTION.

—o—

SITTINGS OF THE HOUSE—EXEMPTION FROM THE STANDING ORDER.

RESOLUTION.

MR. PARNELL (Cork): In view of the fact that no discussion or debate will be in Order upon the Notice of Motion which the right hon. Gentleman the First Lord of the Treasury has given with regard to the suspension of the Standing Order in reference to the debate standing adjourned on the Members of Parliament (Charges and Allegations) Bill at 12 o'clock, I beg to give Notice that when he moves his Notice I shall divide the House against the Motion as a protest against the attempt to continue the discussion on an important matter of this kind when the House has been at work for nine hours, and during hours when it is impossible for the public to know what has taken place.

Motion made, and Question put,

"That the Proceedings on the Members of Parliament (Charges and Allegations) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order, 'Sittings of the House.'"—(*Mr. William Henry Smith.*)

The House *divided:*—Ayes 231; Noes 159: Majority 72.—(Div. List, No. 249.)

ORDERS OF THE DAY.

—o—

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.—[BILL 336.]

(*Mr. William Henry Smith, Mr. Secretary Matthews, Mr. Solicitor General.*)

COMMITTEE. [*Progress 30th July.*]

[SECOND NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Appointment and duties of special commissioners).

Amendment again proposed, in page 1, line 18, after the word "allegations," to insert the words "of complicity with murder or violence."—(*Mr. Robert Reid.*)

Question proposed, "That those words be there inserted."

MR. PARNELL (Cork): I was referring last night, when the proceedings were interrupted by the clock striking 12, to communications with reference to proceedings inside the Cabinet of the Parliament and Ministry of 1880 to 1885, which had been divulged by the right hon. Member for West Birmingham (Mr. Chamberlain); I have not a word in my statement of last night to alter save one, and I deem it right to alter that word at once. I used the word "always," and I should have used the word "frequently." These communications were made to several persons—some of them, but by no means the majority of them, or anything like the majority of them, were made to me, and some of them were made to my hon. Friends.

THE CHAIRMAN: Order, order! I must say that I understood the line of argument last night was that the hon. Member was indisposed to accept the reasonings or opinions of the right hon. Member for West Birmingham (Mr. Chamberlain), in consequence of certain experiences of the right hon. Gentleman's action. That was admissible as a statement; but it is quite foreign to the question raised by the present Amendment.

MR. PARNELL: I bow to your ruling, Sir, and I merely say that I shall reserve any further statement on a matter that you rule to be out of Order until I come before the Commission, when I shall proceed to prove this and other statements by my own mouth out of the mouth of other persons by letters written by the right hon. Gentleman himself, and out of the mouth of the right hon. Gentleman himself, whom I shall put into the box. I shall then give him the opportunity which he does not appear to be desirous of availing himself of in the interval between last night and this afternoon. Now, Sir, to return to the question of the Amendment, the right hon. Member for West Birmingham is very indignant with us for not rushing at these charges like so many mad bulls, with that indignation which the right hon. Gentleman would have us suppose he has always exhibited when charges have been made against himself; but, unfortunately, the experience of history, and of very recent and modern history, does not acquit the right hon. Gentleman of similar conduct to ours. I find in a report of a debate in this House on the Address in answer to Her Majesty's Gracious Speech on October 30, 1884, the right hon. Gentleman, in speaking of charges which the noble Lord the Member for South Paddington (Lord Randolph Churchill) had made against him, said—

"As regards the charges against myself personally, let me clear the way by protesting, in the most absolute terms, against the new doctrine laid down on Monday, and brought forward again to-night, that if a man does not deny violent charges brought against him, he is to be assumed to admit them. That is a favourite doctrine of the noble Lord, who has brought more reckless charges against political opponents than any other living politician. Public life would be perfectly unendurable if a public man were to be held responsible for every crime of which he may be accused unless he immediately takes steps to refute the accusation. There is not a day passes in which I do not see some old slander revived, or some new libel devised, and if I am to deny them I should have to keep another secretary. In a Court of Justice a defendant is not called upon for an answer until some evidence, at all events, is brought forward, and I do not see why it should be different in a Court of Honour."—(3 *Hansard*, [293] 567.)

We are perfectly willing to answer in a Court of Justice, or before a Commission, any evidence that may be brought forward against us. The right hon. Gentleman continued—

"But this practice of the noble Lord of flinging charges in the air in the hope that they may strike an opponent is a very common one."—(*Ibid.*)

That is precisely what you are seeking to do by this Bill, and what this Amendment seeks to prevent you from doing. We say we believe we have with us the people of this country, as we undoubtedly have with us the people of Ireland, and of every other civilized nation. We say that what we desire is, that if we have offended against the law of this country, or have been accomplices in any offences against the law of this country, or have been accessory to offences against the law of this country, those charges should be inquired into, probed to the bottom to ascertain whether they are true or false; but we deny your right to set up against us any such statements as the allegations that are contained in the pamphlet called *Parnellism and Crime*, because

those allegations contain no definite statement of any offence against the law, of complicity in any offence against that law, or of being accessory to any offence against the law. We deny your right to invite us to come before this Commission on such vague charges as these, and to say that you are offering us a just and fair tribunal to inquire into charges which could be made in a Court of Justice. I say the charges and allegations in *Parnellism and Crime* are not capable of any legal definition in a Court of Justice, that no Court of Justice would entertain nine-tenths of them for a single instant, and that you are setting up this Commission, and are framing the Reference in so vague, wide, and unsatisfactory a manner, in order that you may get suspicions whispers, and injurious imputations entertained and published against us and not inquired into—because it will be impossible for any Court or Commission to inquire into them—and not for the purpose of arriving at the truth or definitely settling those questions, but for the distinct political purpose of raising against us a cloud of suspicion which you may hope may damage us in the estimation of the public. It is our duty to fight this Bill in Committee, and to appeal to the sense of justice of the House. It is not reasonable to ask us to go before this Commission, unless you tell us either who our accusers are to be or of what we are accused. If you were going to hang a dog, or to try a dog before he was hanged, would you not tell him what you wished to hang him for? Is it practice, is it fair play, to do less for Irishmen? It is because we are Irishmen, and for no other reason, that you take advantage of the national prejudices that unfortunately exist, and which you have done so much, through your Unionist literature and on platforms, to disseminate and, if possible, perpetuate. You take advantage of these unfortunate national prejudices to endeavour to put us in a position which you would not venture to put your own countrymen in. It is not the first time that fair play has been denied to Irishmen, and I do not suppose it will be the last. It is not the first time it has been denied to Irishmen in Ireland—not the first time that you have poisoned the bowl and used the dagger against your political opponents in that country, where you could not overcome them in fair fight; but I venture to think that the enlightened opinion of this age will not permit you to pursue this course, but the public opinion of your constituents will tell you when you return to them that you have been guilty of un-English traditions which are not in accordance with their opinions in this matter. We ask that we shall be told what we are accused of. We are referred by the right hon. Gentleman the First Lord of the Treasury to the pages of *Parnellism and Crime*. I decline to wade through the pages of that filthy and lying pamphlet for the purpose of extracting those accusations. Either we have offended against the law or we have not offended against the law; either we have been accessories to offences against the law or we have not been accessory to offences against the law; either we have condoned offences against the law or we have not condoned offences against the law. The Home Secretary talked about arson not being a crime of violence. That is the first time I ever heard it suggested that to set a man's house on fire is not an act of violence. The Home Secretary tells us that Moonlighting offences are not crimes of violence. I do not believe that any Irish lawyer would have any doubt about it. The very definition of one of the offences under the Whiteboys Act is an assault upon a house, and what is that but a crime of violence, and what are the other offences under the Whiteboys Act, such as roaming through the country unlawfully, but crimes of violence? The right hon. Gentleman tells us that these Whiteboy offences are not crimes of violence. He attaches no weight to them. I maintain that they are. But let there be no difference upon that point. If you consider that there are any offences in the calendar which are not covered by the recital contained in the Amendment of the hon. and learned Member (Mr. R. T. Reid), we are perfectly willing to admit them into the Amendment. If there is any single unlawful act contained in the whole Criminal Law of England which would not be covered by the Amendment, we are willing to have the Amendment amended to the fullest extent, so as to make it wide enough and large enough for your purpose. By all means inquire into our connection with crime; but I do not mean by that our connec-

tion with offences against the law, which we admit, and which are notorious. That would not be defended even by the Home Secretary. I refer to our taking part in the Plan of Campaign, or taking part, as undoubtedly I did in the winter of 1879-80, in incitement to tenants not to pay their full rents. Such speeches as I then delivered, of course, can be proved in abundance. There is no concealment about them. If they are offences, and according to the doctrine of Lord Fitzgerald—who, if not a very impartial Judge, has, I suppose, a sufficient knowledge of the law to express a sound opinion upon the point—such speeches and incitements do constitute offences against the law. They do not form a subject of inquiry before this Commission. When I say, "inquire into crimes committed by us," I do not mean such constructive offences against law as alleged conspiracy to incite tenants not to pay their full rents, or incitements to Boycotting, or the actual offence of Boycotting. But with regard to any other offence, secret or open, I invite the fullest, freest, and most thorough inquiry that you can institute. But I protest against admitting the vague and indefinite charges of the London *Times* which are contained in this pamphlet—drawn up by whom we know not—as substitutes for the legal and judicial phraseology which ought to enter into this Bill if this is to be a judicial inquiry.—I protest against that, and upon this Amendment, and upon others which are to follow, I shall renew my attempts to awaken the conscience of the Committee to the injustice to which you are asking us Irishmen to submit, an injustice which I do not believe you would ever ask your fellow Englishmen to submit to.

MR. J. CHAMBERLAIN (Birmingham, W.): I must ask for the indulgence of the Committee while I say a very few words by way of personal explanation. The hon. Member for Cork (Mr. Parnell) has just taunted me with not taking an opportunity to deny the accusations which he brought against me last night. The hon. Member appears to forget that yesterday he himself occupied the whole time of the Committee until the moment arrived for adjournment. I did not rise when you, Sir, took the Chair this afternoon, because I understood that the hon. Member for Cork had possession of the Committee, and I waited for him to conclude his remarks. The hon. Member complains that charges of a most vague and indefinite character have been brought against himself, and then he brings against me charges or accusations infinitely more vague and more indefinite and shadowy, so that I am bound to say that I have not the most remote idea to what special circumstances he alludes. The hon. Member says that he will produce these accusations when he goes before the Commission which this Bill will appoint if they are germane to the subject of the inquiry. Well, I shall be delighted to enter into any explanation which may be necessary, and I promise the Committee and the hon. Member for Cork that I shall not shirk any inquiry. There appear to be two accusations which the hon. Member has formulated. The first is that before I became a Minister—that is, in the time between 1876 and 1880—I was always most anxious to put the hon. Member for Cork and his Friends forward to do work which I was afraid to do myself. Well, Sir, I confess that I do not think that that would be a very serious accusation, even if it were true; but I am perfectly prepared to leave myself in the hands whether of my Friends or my foes upon any question of personal cowardice. The second charge is that I was always most anxious to betray to the hon. Member and his Party the secrets and counsels of my Colleagues in the Cabinet, and to endeavour, while sitting beside them and in consultation with them, to undermine their counsels and their plans in the interest of the hon. Member for Cork. He refers to the time between 1880 and 1885, when I had the honour of a seat in the Cabinet of the right hon. Member for Mid Lothian (Mr. W. E. Gladstone). As far as I can recollect at the present moment, I had only once—no, I do not remember even during that time having had any direct communication with the hon. Member for Cork.

MR. PARNELL: Not after the Phœnix Park murders?

MR. CHAMBERLAIN: I thank the hon. Member for his interruption. I had forgotten for the moment the incident to which he refers.

MR. PARNELL: Once in this House and once in your own house.

MR. J. CHAMBERLAIN: I am much obliged to the hon. Member for refreshing my memory. I will deal as far as I can with all the occasions. There were two important occasions to which I imagined the hon. Member last night especially referred, occasions when I had numerous indirect communications with the hon. Member for the City of Cork. The first of those occasions was in connection with his release from Kilmainham; and when he is willing to go into the particulars of those communications, I shall be most happy to oblige him. But in regard to those communications, I have now to say, in the presence of the right hon. Member for Mid Lothian that the whole of them—that the substance, at all events, of every communication of that kind was communicated to my right hon. Friend, and also to the late Mr. W. E. Forster, who was then Chief Secretary. Every communication, of every kind, important or unimportant, which passed indirectly between myself and the hon. Member for Cork was communicated to those of my Colleagues who were specially interested in the matter. The second occasion was in connection with a proposal which has been known in this House and the country as the proposal for National Councils. The hon. Member for Cork has denied having ever given any approval to that proposal.

MR. PARNELL: No; I have never done anything of the sort.

MR. J. CHAMBERLAIN: The hon. Member says now that he never did anything of the sort. The hon. Member is very apt to contradict important statements in this House; but I am unable always to accept the accuracy of his contradiction.

MR. PARNELL: I did not deny that I gave assent to proposals for the construction of a National Council in Dublin. What I denied was that I had constructed the scheme of the right hon. Gentleman.

MR. J. CHAMBERLAIN: The hon. Member not only denied, as he now says, that he had constructed what he calls my scheme for a National Council, but he put up Colleagues in this House—the late Mr. Gray, for instance, the hon. and learned Member for North Longford (Mr. T. Healy), and others—to declare that this scheme was my scheme, that it was Popkins' plan, and that it could not have the approval of the Irish Party. Now, I have to state that this scheme which the hon. Member calls my scheme was brought to me from him, and I am glad to say, and to tell the hon. Member that I have the proof now, which I had not got at the time, of what I assert in his own handwriting, in letters which are wholly in his handwriting, and not in the handwriting of his secretary. Sir, those proposals were brought to me on behalf of the hon. Member for Cork. I do not say now that they were either good or bad; but they were in accordance with principles that I had laid down in previous letters to Irishmen who, I believe, had shown them to the hon. Member for Cork; and although, as regards some of the details to which I need not now refer, I disapproved—they did not, in fact, go as far as I was willing to go—yet I sent word to the hon. Member for Cork that I accepted them as coming from him, and that, if satisfactory to the Irish Party, I would lay them before my Colleagues and endeavour to secure for them all the support I could. But what is, above all, important, having regard to the charges now brought against me, is that these proposals of the hon. Member and the whole of the communications which took place at that time between him and me were laid before my right hon. Friend the Member for Mid Lothian, before my noble Friend who is now sitting beside me (the Marquess of Hartington), and before every prominent Member of the Cabinet who had an interest in the subject. The hon. Member has reminded me of two other occasions when he says I had direct personal communication with himself. I believe he says that one of those interviews took place in the House of Commons. I have no recollection of it. The other occasion I recollect perfectly. It was on the Sunday following the murder of Lord Frederick Cavendish. Mr. O'Shea, who was then, I believe, a Member of the House of Commons, came to my house on the afternoon of that day, and brought the hon. Member for Cork with him.

MR. PARNELL: That is not true.

MR. J. CHAMBERLAIN: The hon. Member is perfectly at liberty to state his own recollection of the circumstances, but I do not think that there is any

particular importance in that point. Mr. O'Shea was present with the hon. Member on that occasion, and my recollection is——

MR. PARNELL: He came in afterwards.

MR. J. CHAMBERLAIN: Yes; he may have come in afterwards, but he also came in before. I am perfectly confident—my recollection is quite clear upon this point—that it was through Mr. O'Shea——

MR. PARNELL: No.

MR. J. CHAMBERLAIN: That I became aware of the desire of the hon. Member for Cork to see me on that occasion. He did see me on that occasion. Nothing passed then which had any reference to the charges which the hon. Member has now brought against me; but I am perfectly prepared, either now or at any time that it may be necessary, to state what did pass. Nothing passed at that interview which, in my opinion, was otherwise than honourable to the hon. Member for Cork, or of which, as far as I am concerned, I am in the least ashamed. I have now dealt with all the occasions, as far as my recollection goes, on which I had any communications, direct or indirect, with the hon. Member for Cork, and I leave the matter in the hands of the Committee.

MR. PARNELL: The right hon. Gentleman may be a very clever man; but I think he is not sufficiently clever to ride off, as he is attempting to do, by raising so transparently false an issue as the question of local government in Ireland. The communications I referred to from the right hon. Gentleman to myself and my hon. Friend the Member for East Mayo (Mr. Dillon), who is now in Dundalk Gaol, and to a third person who is no longer a Member of this House, were communications in reference to other questions than the question of local government for Ireland. They were communications in reference to what the right hon. Gentleman has called my release from Kilmainham, but which I call the Arrears Bill. They were communications in reference to the renewel or non-renewal of coercion in Ireland after the Phœnix Park murders. There were communications later on in 1885 in reference to the non-renewal of the Crimes Act, an Act which was expiring at that period, and which the Government proposed to renew in part. The right hon. Gentleman represented himself to us as opposing the renewal of that Act within the Cabinet. So far from these communications being merely confined to the subject of local government for Ireland, the statement of the right hon. Gentleman has no foundation whatever. The right hon. Gentleman has now enlarged upon this question of local government in Ireland, and the communications which, he says, I had authorized to be made to him on the subject. Well, Sir, if all the statements of the right hon. Gentleman upon this subject were perfectly true, if I had authorized communications to be made to him on the subject of local government, if he holds, as he alleges, proofs, by means of letters in my handwriting, that I constructed this scheme of local government in Ireland, it would not touch the question at issue at all, which has reference to the violation and disregard by the right hon. Gentleman of his oath as a Member of the Cabinet to preserve its secrets. When the proper time arrives, or when the right hon. Gentleman formulates his charges against me, as I presume he will do, before this Commission with regard to this question of local government in Ireland, I shall have a full and abundant explanation to show that the statements and assertions of the right hon. Gentleman which he has made now for the first time through his own mouth, but which he has previously made through the mouths of other people, are erroneous and unfounded. It is possible that the right hon. Gentleman may have been misled himself—it is possible that information may have been conveyed to him which was not absolutely trustworthy, and I should recommend him the next time he asks for information on the Irish Question to deal at first hand, and then he will not be in the position in which he has unfortunately placed himself on this occasion, of having to establish a life-long spite against Irishmen, because he is informed by some third person that these Irishmen, once on a time, agreed to his scheme of local government. I have nothing further to say in regard to this question, except this, that among others of the letters in the handwriting of the right hon. Gentleman which I can produce,—and this has an important bearing upon the right hon.

[*Second Night.*]

Gentleman's contention, that this was only a question of local government in Ireland—is a letter from him, in which he alludes to the defeat or withdrawal of the Police Bill for Ireland, and glories in Lord Spencer's discomfiture at the withdrawal. With regard to the memory of the right hon. Gentleman, which, I am sorry to say, appears to be very defective—the matter is only of importance as showing this—

THE CHAIRMAN: Order, order! The hon. Member has made his statement in answer to the right hon. Gentleman's personal explanation. It appears to me the hon. Member has exhausted all he has to say in reference to that personal explanation.

MR. PARNELL: No, no.

THE CHAIRMAN: I would urge on the hon. Gentleman the advisability of bringing to a close what he has to say in reference to that personal explanation. This discussion is, I think, very inconvenient.

MR. PARNELL: I had only one further matter to refer to, and it has relation to a matter of fact. The right hon. Gentleman has stated that my interview with him was arranged by Mr. O'Shea immediately after the Phœnix Park murders. That is untrue. I never informed Mr. O'Shea I was going to see the right hon. Gentleman, or gave him any previous intimation of the fact whatever. It is also untrue that Mr. O'Shea came with me. I was accompanied to the residence of the right hon. Gentleman by my hon. Friend the Member for the City of Derry (Mr. Justin M'Carthy), who will corroborate my memory in that particular. Mr. O'Shea called at the right hon. Gentleman's house, after we had been there for some time, and it was evident by his manner that he was very much surprised and very much mortified to find we were there. That is all I have to say on the subject.

MR. J. CHAMBERLAIN: I will not occupy the time of the Committee further than to allude to the addition which the hon. Member has made to his previous statement. I do not pretend, and have never pretended, that I had any charges to formulate against the hon. Member for Cork, either before the Commission or anywhere else. I do not say that the only subject of communication between the hon. Member and myself was the question of National Councils. On the contrary, other matters alluded to by the hon. Member for Cork were undoubtedly part of the subject of that correspondence. I have only to say, with regard to this and to everything else, that I took care that those of my Colleagues who were chiefly interested in the matter should be informed of all I was doing.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I am sensible, Sir, of the inconvenience which you have pointed out and I am no party to the questions which have arisen between two distinguished Members of this House; but my right hon. Friend the Member for West Birmingham having very distinctly referred to me as a witness in support of his recollection on two important matters, I do not feel justified in remaining altogether silent in presence of such an appeal. My right hon. Friend, if I understand him aright—I may be mistaken in my apprehension of what he says—referred to two subjects of communication between himself and the hon. Member for Cork. The first was, I think, that there had been a variety of communications between him and the hon. Member for Cork of an indirect character while the hon. Member for Cork was in Kilmainham Prison on the subject, at any rate, of his release from that prison. My right hon. Friend states that the result of these communications was made known to me, and, I also understand, to the late W. E. Forster. Well, Sir, I am reluctant to be brought, without preparation, into this subject, because I am bound to say that before I could undertake in any degree to confirm or question the recollection of my right hon. Friend, it would be necessary for me to know, and know with some exactness, what those communications were. In the present state of my recollection, I am unable to enter into the question. My right hon. Friend also referred to communications which he had with the hon. Member for Cork in 1885, on the subject of an important and extensive plan which was in the nature of local government for Ireland. My right hon. Friend the Member for West Birmingham says those communications were made known in their substance fully to me. I think upon that subject my memory is perfectly clear. It is not necessary to enter into details and particulars; but, undoubtedly, my memory

is in accordance with what has been stated by my right hon. Friend.

Question put.

The Committee *divided*:—Ayes 197; Noes 249: Majority 52.—(Div. List, No. 250.)

MR. ANDERSON (Elgin and Nairn), in moving, in line 18, after the word "allegations," to insert the words "set out in the schedule thereto," said, that the sub-section would then read as follows:—

"The Commissioners shall inquire into, and report upon, the charges and allegations set out in the schedule hereto made against certain Members of Parliament or other persons in the course of the proceedings in an action entitled 'O'Donnell *versus* Walter and another.'"

He considered the Amendment to be of very great importance. As the Bill stood at present, charges and allegations might be made of any character against any person, without such charges being in any degree formulated, or without the person accused being in any way mentioned. He wished to invite the attention of the Committee to the unfairness and injustice which must arise from the mode in which the Bill was at present framed. The Sheffield Inquiry had been referred to; but nothing of this kind was embraced in the Sheffield Inquiry. In that case no charges were made against any particular person; but the Commission was ordered to make a certain inquiry as to certain outrages which had been committed. In this case it would be observed that charges and allegations of the most serious character were made against Members of that House and other persons, and he thought that was the first occasion when charges of such gravity had been made without their having been formulated with some degree of certainty. He thought the Committee would see at once why it was important that there should be some definitions as to the nature of the charges, and why some statement in regard to the charges of a more definite character than was included in the Bill at present should be made, together with an indication of the persons to whom they referred. In all criminal inquiries the person charged was given some notice of the charge to be brought against him. Unless that were done, the greatest possible injustice must arise towards the person against whom the charge was made. The hon. and learned Solicitor General (Sir Edward Clarke) had made it thoroughly plain to the Committee yesterday that what the Government now proposed was to spring charges of a serious character against individuals without notice. He was sure the Committee would be of opinion that such an injustice ought to be prevented. It was perfectly possible to conceive that persons might come forward with false evidence. It was strongly believed already in this case that *The Times* had, by payment of large sums of money, obtained false evidence, and it was not difficult to conceive that there were a number of persons who might come forward and give false evidence. It was, therefore, possible for two or three witnesses to formulate and bring forward the most serious charges against hon. Members of that House, and bring them before the Commission, although no notice might have been given to the persons accused. It would be perfectly possible for witnesses to bring forward allegations of complicity with crime, and the consequence would be that the persons accused would remain under the stigma of being accessory to a serious offence which he would be entirely prevented from answering if a provision such as this were to be contained in the Bill. Apart from that injustice, there was another question to which he invited the attention of the hon. and learned Solicitor General; unless some limit were imposed the inquiry would be absolutely interminable. It was stated yesterday by the Home Secretary that the Judges appointed under the Bill would have a discretionary power to inquire into the various matters referred to under the head of charges and allegations. He (Mr. Anderson) would ask the hon. and learned Solicitor General if he took that view of the clause? As he (Mr. Anderson) read the clause, it was compulsory upon the Commissioners to go into such charges. What was the meaning of the language employed? The clause said—

"The Commissioners shall inquire into, and report upon, the charges and allegations made."

He understood "shall inquire into," in legal language, to mean that they were to inquire into, and that they had no

discretionary power in the matter. If the words were "it might be lawful," the case would be different. The view generally taken of the meaning of the clause was that the Judges would be bound to investigate and go into all the charges and allegations that were brought forward. If that were so, and he was satisfied it was a legal construction to be placed on the words, the inquiry would be an interminable one. He hardly thought that the Government and their Supporters appreciated the length of time this Commission was likely to occupy, and the expense to which the parties implicated would be put. In his opinion, therefore, justice demanded that the charges and allegations to be inquired into should be set forth with some definiteness in a Schedule attached to the Bill. He therefore, begged to move the Amendment of which he had given Notice.

Amendment proposed, in page 1, line 18, after the word "allegations," to insert the words "set out in the schedule hereto."—(*Mr. Anderson.*)

Question proposed, "That those words be there inserted."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.) said, the Amendment which had been moved by the hon. and learned Gentleman would, in his opinion, completely neutralize the whole object of the inquiry. It evidently proceeded from a misconception of the object of the inquiry, which was not an investigation into the pamphlet entitled *Parnellism and Crime*, but an inquiry into the whole truth in regard to the allegations which had been made in the case of "O'Donnell *v.* Walter and another," and to enable the Commissioners to do that, they must have their hands left free, and must be at liberty to inquire into charges which were not scheduled. It would be most unfortunate if the Commissioners were precluded from pursuing a certain line of inquiry merely because it concerned some person whose name did not appear in the Schedule. In the case of the Sheffield Inquiry, there was a general suggestion of outrages having been committed at the instigation of certain members of Trade Associations. No individuals were named at the time. [An hon. MEMBER, Broadhead.] Broadhead was an individual who was spoken of at the time; but if his (Mr. Matthews') memory served him right, the offences which were committed by that individual were brought home to him and to other persons who were not even known before the appointment of the Commission. The hon. and learned Member said that charges might be sprung upon individuals, and that thereby they would be subjected to injustice. If any accusation were made against any individual before the Commission, he would no doubt, be allowed ample opportunity for defending himself, and no doubt, by adjournment from time to time or otherwise, ample time would be given to any person charged with a criminal offence to defend himself. If the Amendment of the hon. and learned Member were adopted, the Commission would be unable to inquire into the authorship of the alleged forged letters, because the person who must have forged them was not at present known. It was, therefore, impossible to name him in the Schedule. In such case, the Commissioners would feel themselves constrained to hold their hands and not to inquire into a matter of that kind, because the individual was not named in the Schedule.

MR. COMMINS (Roscommon, S.) said, the object of the Government appeared to be to obscure the issue, and not to define it. All the Amendments that were proposed were met by the Government with the remark that they would defeat the object of the Bill. The object of the Bill was not to bring definite charges against certain persons, and to enable such persons to meet them, or even to define the persons against whom the charges were made, so that they might be able to show that the charges themselves were false; the object of the Bill appeared to be to make the charges and allegations as wide as possible. The last argument of the Home Secretary was that if a Schedule were attached to the Bill, and the forger of those letters were subsequently discovered, he could not be proceeded against; but if the forger of the letters could be discovered, he might be prosecuted by law without the intervention of an extraordinary Commission such as it was proposed to appoint under the Bill. No doubt the Bill gave an indemnity to the forger; if he came forward and said that he had

forged these letters, he would be entitled to a certificate. Indeed, the framers of the Bill gave power to every person who was anxious to come forward and make charges against others. The Home Secretary did not contend for a moment that it would not be imperative under the Bill for the Commissioners to hear the evidence of every person who was desirious of bringing forward a charge. All that was required by the Irish Members was that the persons charged should be specified, and that the charges themselves should be put in in an intelligible and tangible shape. They wished to have them defined in such a way as the meanest thief would be entitled to have a charge against him defined. If the Bill were not a bogus measure, if it was not intended to cloak the charges, and furnish a platform for a repetition of them, then something like this Amendment must be inserted in the Bill, and some definition must be given. Let the Government make the charges as wide as they please, but they ought to be enumerated and defined, in order that it should be known what were the charges to be made. This was not to be a judicial investigation, but rather like an inquiry into corrupt practices at an election; but everybody had the Corrupt Practices Act at hand, and knew what charges were to be made; they were clearly defined, and the proceedings were governed by the rules of judicial procedure. If the inquiry was not to be a judicial one, the charges were, at least, graver than many which occupied the attention of ordinary Courts of Justice. A convict with 60 convictions against him, even if charged with the most trivial offence, was entitled to have a copy of the evidence that might be produced against him at Court; but no such provision was made here. There were none of the guarantees in this Bill that legal experience and judicial wisdom had established for the protection of innocence, for giving fair play to the accused, and for restraining that license of prosecution which very often degenerated into an abuse of law and resulted in the greatest injustice. This Bill would not give the means of establishing the guilt or innocence of an accused person; but it would afford means for bringing various accusations against anybody, and for constituting further slanders. Unless something was done in the direction aimed at by the Amendment, the Bill would be a bogus Bill, a travesty of justice, and a mockery towards those upon whom it was proposed to confer benefit.

SIR JOHN SIMON (Dewsbury) said, he hoped his right hon. Friend the Home Secretary would excuse him (Sir John Simon) for saying that he had forgotten the Title, the Preamble, and the enactments of his own Bill. He had stated that this was to be an open inquiry for ascertaining the truth of certain charges and allegations. It was a Bill to inquire into charges and allegations made against certain Members of Parliament. The recital went on to say that—

"Whereas certain charges and allegations were made against certain Members of Parliament and other persons, &c.;"

and the first clause they were now considering enacted that the Commissioners should inquire into and report upon the charges and allegations against Members of Parliament and other persons. Then what possible objection could the Government have to stating what the charges were into which the Commission was to inquire? The Home Secretary said that the Members of Parliament were not on their trial. He (Sir John Simon) took issue with the right hon. Gentleman on that point. If ever men were placed on their trial, they were the Members of Parliament who were being arraigned on those charges. It was contrary to every principle of justice and of Constitutional procedure that Members of Parliament should be placed in such a position, and that a Special Commission should be appointed to inquire into the charges and allegations made against them. It was unconstitutional, and contrary to all principles of justice, that those Gentlemen should be kept in ignorance of the charges brought against them. The Government must either believe the charges or they do not. If they believed that they were charges and allegations to justify the Commission, then why did they not state them? The Bill would be utterly unjustifiable if the Government did not believe that the charges and allegations made against certain Members of Parliament ought to be inquired into. The continual reference which was being made to the

Sheffield Commission and to an Election Commission was absurd. There was no analogy between the proposed Commission and the Sheffield and a Commission to Inquire into Corrupt Practices at Elections. In the case of corrupt practices, the charges were known to the law and specified. Every Judge knew what the corrupt practices were, and what he was called upon to inquire into. More than that, under the regulations of such inquiries, particulars had to be furnished of the corrupt practices charged; and even dates, times, and places were given, so that the person who had to answer had the fullest possible information. In the Sheffield Commission, no person was charged with crime. Certain crimes and wrongful acts had been committed through the means and operation, it was alleged, of the Trades Unions, and it was an open inquiry sent down to ascertain who the persons were who had perpetrated or instigated the perpetration of illegal acts. This, however, was not an open inquiry, because the Bill itself stated that the Commission was to inquire into the charges and allegations made against certain Members of Parliament and other persons. If, then, they knew that there were charges and allegations, why did they not state them? Why keep them locked up in their own breasts? He regarded the Amendment as a most fair and necessary one, and he should certainly support it. He was utterly at a loss to conceive why the Government were so determined to prevent anything like a statement of the charges, and why they were so determined to refuse every Amendment of this nature, when he should have thought that, as English Statesmen, they would have been only too solicitous for their own reputation for fairness to have gladly received any suggestion, even although it came from the Irish Members or from that side of the House.

MR. ATHERLEY-JONES (Durham, N.W.) said, he had listened with surprise to the observations of the Home Secretary, who stated at the commencement of his speech that this was not an investigation of definite charges. From the statements made in *The Times*, it was perfectly obvious that there were definite charges to be investigated. If that were so, then the proposed Commission differed *toto cœlo* from all previous Commissions, such as the Trades Unions Commission, which was a Commission issued for the purpose of ascertaining whether there were persons who had committed certain crimes. This Commission started with the presumption that certain persons—namely, Mr. Parnell and others—had committed crime. He, for one, was not in sympathy with any hon. Member who sought to limit the scope of the inquiry. He believed that the inquiry should be as extensive and as comprehensive as the charges which had been formulated, but it was a very different thing, limiting the scope of the inquiry, and defining what the inquiry should be. There was no precedent for any inquiry as to the criminal conduct of any individual in which the person criminated had not the right to claim full and accurate particulars of the charges brought against him. It had been well said that this inquiry differed only from the trial before a Judge and jury in this, that there was to be no judgment delivered. There would be a verdict, and if that verdict were adverse to the hon. Member for Cork and other hon. Members, they would be condemned to odium and infamy. He asked whether it was fair or reasonable to make carefully formulated charges against individuals for which a mass of testimony had probably been marshalled, while, at the same time, the persons criminated were not given the opportunity of marshalling the evidence for the purpose of rebutting these charges? He insisted that, as an elementary principle of justice, there should be given to every person charged a full and accurate description of the charges made against him.

MR. CLANCY (Dublin, Co., N.) said, that the section, if literally carried out, meant that the Commissioners should inquire into and report upon certain charges and allegations made in the case of "O'Donnell *v.* Walter and another." The Government did not even mention where this case was tried, and they did not even refer the Commission to a report of the case. If the section were carried out, the three Judges would some day have to walk to one of Mr. W. H. Smith's bookstalls and each pay twopence for a copy of the report of the case he had referred

to. But who was to guarantee that the report of the proceedings published by *The Times* was accurate; who was to guarantee that it was taken by a shorthand writer, or that it had not been revised after it had left the Court by the forgers of the letters attributed to the hon. Member for Cork? He had not the slightest hesitation in saying that the persons who had supplied these fraudulent letters were capable of furnishing a fraudulent report of the trial. *The Times* had dismissed two of its correspondents because they had given true accounts of what had occurred at Ennis and elsewhere in Ireland. The object of the Government in refusing to place these crimes in the Schedule was to give *The Times* an opportunity of mending its hand with reference to these charges. *The Times* had had already to amend its budget of charges. It had published a ridiculous statement about his hon. Friend the Member for the Scotland Ward Division of Liverpool (Mr. T. P. O'Connor), who had disproved the statement of *The Times* that he was in America at a time when he was alleged to have been there by that newspaper. But his hon. Friend was not the only man who could disprove, in as equally effective a manner, the charges made against him; and under the clause as it stood *The Times* might be able to mend its hand, and also to spring fresh charges upon the persons it had accused; it would find fresh readings of the original charges, and there would be no counsel engaged before the Commission who would be able to point to a single word in the Act of Parliament forbidding them to refer to those additional charges or investigate them. He protested against *The Times* being allowed an opportunity of hiding its guilt in this manner. The Government could not either name the charges which they pretended to desire to have investigated by the Commission, or they were afraid to name them. If they could not name the charges, their excuse was gone altogether; if they were afraid to name them, their condemnation was written in refusing justice to men who were of as unimpeachable integrity as themselves—he would withdraw the words "as unimpeachable" and substitute "of far more unimpeachable integrity." He warned the Government that if a Schedule was constructed of charges on which Members of Parliament and others were to be tried, he would propose, as an independent Member, that the name of the Right Honourable Henry Matthews and his relations with the Fenians of Dungarvan should be included in it; and, notwithstanding the denial given last night by the right hon. Gentleman to the charges brought against him by the hon. Member for the Scotland Ward Division of Liverpool, the House would find that a great deal more had to be told on that subject than had been yet divulged to the public; and it might be found that in the case of the right hon. Gentleman, as well as in that of others, it might be necessary that the Commission should sit in New York as well as in London. He repeated that the Government were in this dilemma, either that they could not name the charges, or they were afraid to do so, and in his conscience he believed the latter to be the truth.

MR. SEXTON (Belfast, W.) said, he did not want to draw attention to the circumstances to which his hon. Friend who had just sat down (Mr. Clancy) had referred. He must, however, say that the Home Secretary had shown inexcusable carelessness in dealing with the Amendment before the Committee. The right hon. Gentleman argued that the Amendment would neutralize the Bill. And why did he think it would have that effect? Because, according to the right hon. Gentleman, the Commission was not intended to inquire into definite charges at all. Were the Committee really talking about matters which had convulsed the country for a year or more; were they speaking of charges which had been described in *The Times* as so serious that at a date not remote they would have caused the heads of Members of the House to adorn the City gates? He was extremely surprised to find that the charges to come before the Commission were such as might be conceived in the dim recesses of an Old Bailey lawyer's brain, but could not be put in definite words. The Commission were not intended to deal with definite charges. They were not to make charges of that kind; but they were to beat about for game like hounds in a cover. The Government wanted no definite charges. He had heard two statements in the course of the debate—first, that the Government did not want to be in the position of accusers. That was a

flagrantly transparent excuse, and he submitted that if the Government accepted the Amendment proposed from that side of the House to make a specification in the proposed Schedule, they would not place themselves in the position of accusers, because the act would not be the act of the Government, but the act of the House of Commons. Another point was that there was no punishment to follow the decision of the Commission. The Committee were told that if a man was fined half-a-crown or sent to prison for a day, the charges against him must be stated, and the evidence given must be legal. That had been shown to be necessary to the investigation of truth and the exclusion of improper evidence by the experience of centuries. But was there no punishment to follow? There were two classes of persons concerned—one, Members of Parliament; and the other, persons outside the House; and between those classes there was the important difference that one asked for this inquiry and the other did not. With regard to persons outside the House, their position was purely personal; but as regarded Members inside the House, the hon. Member for Cork amongst others, they had to consider not only personal reputations but also their position as Members of the House, and in that were involved their race and their country. What charges were hon. Members to answer? Were they to be left till the Commission met and until it had arrived at some conclusion? He would take his own case. He had read the pamphlet *Parnellism and Crime*, and he had read it with the endeavour to see in what way his name was mentioned in connection with the specification of facts, and he found that it had been mentioned three times. His name was first mentioned in connection with a public meeting held in 1880, since which time there had been one suspension of the Habeas Corpus Act and two Crimes Acts. It was said that in the month of October, in 1880, he had been present at a public meeting at which another Member of Parliament made a statement. Was it really come to this, that a Member of the House was expected to go back eight or nine years to explain his relation to a speech not made by himself, but made by another person? Would the hon. and learned Solicitor General defend that proposal. That speech related to a prosecution in Dublin which had ended abortively. Then he found reference made to him in connection with what was called "The Flight to Paris" of certain Members of Parliament, who, it was said, in 1881 fled to Paris in order to avoid arrest under Mr. Forster's Coercion Act. He (Mr. Sexton) was arrested in the month of October, 1881, while ill in bed; he was taken to Kilmainham, and kept in bed until he had to be carried out by warders. As soon as he came out and was able to walk, he came to London and placed himself under the care of a medical man, and in the following year, on the 1st or 2nd of June, he went to Paris under medical advice. His hon. Friend the Member for West Cavan (Mr. Biggar), who was a tender-hearted man, and would not allow him to go alone, came forward and accompanied him to Paris; and he (Mr. Sexton) was at the time so weak as to be compelled to stop at Newhaven on the way. He remained at Paris a month, and came back to take part in the Business of the Session of that year. He had no reason to expect arrest, nor had the hon. Member for West Cavan, because the Suspension Act was only executed in Ireland. That was the true reason of his "Flight to Paris," and he had tendered that explanation over and over again. It was said that, on his hon. Friend's (Mr. Parnell's) release from Kilmainham, he had gone to Paris to avoid arrest; but, having attended every Sitting of the House until the Easter Recess, hon. Members would admit that he needed some rest; and he chose to take a week at Paris, instead of going to Ireland. He returned from Paris in time to join the House the first day after the conclusion of the Recess. Was it contended that a Member of Parliament, because he was an Irish Member, was not to go to Paris for the benefit of his health, nor to visit it during the Easter Recess, without being called upon nine years afterwards to explain his reasons? He asked, on the eve of the appointment of this Commission, to what extent he was to defend himself, how he was to instruct his solicitor as to the case to be laid before his counsel, and what witnesses he was to have in attendance? The Government did not arrange for a man to bring up his own case; they had left everything to the Commission, and

they might make or adopt a charge against a man on one day and drop it the next, and so on; for weeks or years no man would know what case would be made against him. This inquiry would last for years. ["No, no!"] He was not aware that the proceedings in previous cases had been disposed of in a few weeks, and certainly the present inquiry, which related to a race and a political Party, could not be settled in that time. It was not enough to say that he was charged with having had communication with someone connected with crime. He had never in his life had any knowledge of any intention on the part of anyone to commit any crime. He knew that when any crime had been committed, he had no knowledge of it other than what was obtained from the Press and public rumour; he had never associated with any man whom he knew to be guilty of crime. Knowing all that, he challenged the Government to give him and others in a similar position, some idea of the charges they were to meet. The short and long of it was, that the Government claimed a position for themselves which was untenable, the while that they endeavoured to put him and his hon. Friends in a position which was intolerable, and the country would understand and condemn their conduct.

MR. JOHN O'CONNOR (Tipperary, S.) said, the right hon. Gentleman the Home Secretary objected to any Schedule of the kind proposed in the Amendment of the hon. and learned Member for Elgin and Nairn (Mr. Anderson). How far was the scope of this inquiry to extend? Would it go back into the history of Ireland? If so, the right hon. Gentleman himself might come off second best. When the right hon. Gentleman was a younger man—20 years ago—the election for Dungarvan took place; and, if the scope of the inquiry was to extend back to that time, the right hon. Gentleman would find it very difficult to prove that he had not accepted assistance from certain men in Ireland, well knowing that they were engaged in bringing about a separation of the two countries; and he would find it very difficult to prove that he did not part with a certain sum of money to those men for the purpose he had mentioned. If it were necessary, he (Mr. J. O'Connor) would bring before the Commission the men who served the right hon. Gentleman on that occasion, and the men who received the money. He had much to say on this matter; but he would restrict himself to the Schedule proposed by the hon. and learned Member for Elgin and Nairn. All they asked for was that persons and facts should be defined. Would the Government describe persons, so far as to mention the National League? Because, in that case, they would narrow the inquiry to some extent. Hon. Members were quite prepared to have all the affairs of the National League investigated, because they knew from reports in newspapers that many outrages had been committed in Ireland by persons who were not connected with the National League. It was for the National League alone that they were responsible.

MR. JUSTIN M'CARTHY (Londonderry) said, the hon. Gentleman who had just sat down (Mr. J. O'Connor) had made a very effective speech in support of the Amendment, and he had given as a reason that, if the Government did not do something in the direction of the Amendment, they would leave Members of that House open to vague unmeaning charges such as no man ought to be called upon to reply to. He (Mr. Justin M'Carthy) wanted to impress on the Committee the reasons why there should be a Schedule to the Bill. If the Committee did not agree to this, they would have the real prosecutors in this case, or the instigators of the charges, sneaking out of some of the gravest allegations made against Members of the House, and saying they never were meant in that sense at all. His hon. Friend had given some of his experiences, and the Committee would allow him (Mr. Justin M'Carthy) to give a little of his own experience as regarded these accusations. One of the foulest charges ever made against a public man in any country was contained in certain sentences of a pamphlet called *Parnellism and Crime*, and in which he himself was involved. The statement was that on a certain day he, accompanied by Mr. Frank Byrne, met his hon. Friend the Member for the City of Cork (Mr. Parnell) at Willesden Junction, on his way to Paris, and that they conferred together in secret—Mr. Byrne, himself, and the hon. Member for the City of Cork—that they were met by

other persons, and it was implied that the arrangements for the Phœnix Park murders were made at that conference. What really occurred was this—Mr. Frank Byrne came as secretary of the organization; he met the hon. Member for the City of Cork at the station; he left the hon. Member and himself (Mr. Justin M'Carthy) together, having fulfilled his official function. His hon. Friend and himself went to his own residence, where they spent some time talking over the Arrears of Rent Bill then coming in. But in the pamphlet it was urged over and over again that the murders took place immediately afterwards; that Mr. Frank Byrne escaped, and that he was mixed up in those murders. It was distinctly implied, although not put in these words, that his hon. Friend and himself knew of it. Now, since that time, *The Times* had specifically and pointedly declared that they did not mean to connect him in any way with the murders in the Phœnix Park. But they had made the charge, and he now insisted that the charge should be kept to; that it should be put into the Schedule of the Bill, and that no chance should be given to the inventors of these abominable slanders to say that they never meant the actual outcome of their words, and that, when they said that the hon. Member for Cork, himself (Mr. Justin M'Carthy), and Mr. Frank Byrne met at Willesden, and that the murders were committed immediately afterwards, they merely meant to mark a curious chronological coincidence, and imputed no charge whatever. If the Committee did not make such a Schedule as was now proposed, they would give these people the chance—these false, treacherous, and ignoble libellers—whenever they might think fit hereafter, of reviving their old slanders, and saying that they had never been disproved.

Mr. W. REDMOND (Fermanagh, N.) said, the people of England would see that it was most unjust that Members of that House should be put upon their trial for charges not stated. The commonest criminal in this country when arrested had the right of having the charge against him distinctly stated, in order that he might be able to disprove the allegations made against him. But charges made against Irish Members were not stated for them in any definite and decided way; and when they asked what it was this Bill was passed to try, the Government refused to answer them, and pointed to the confused mass of statements which were to be found in the pamphlet called *Parnellism and Crime*. It had been pointed out, on the second reading of the Bill, that in the whole of that pamphlet there was not a single hint made against the Members sitting on those Benches which had not over and over again been made for a number of years. With the single exception of the forged letters, there was not a particle of anything new in the whole of the allegations contained in that pamphlet. It should be borne in mind that every one of those charges were made against Irish Members from time to time in that House, when each one of the accusations which *The Times* had now made against them had gone through the ordeal of debate; and, notwithstanding the repeated discussions which had taken place as to the alleged connection of his hon. Friends with the perpetrators of outrage and crime in Ireland, there never had been the slightest particle of evidence adduced to support the statements that hon. Members had ever done anything in Ireland, except to use their influence to restrain and prevent the commission of crime and outrage. Again, notwithstanding the Coercion Acts which had been in existence in Ireland and the fact that the whole National Organization had been under the watch of the police, and that they had been working under a system of espionage unknown before—in spite of all that, Irish Members were to be put on trial for a lot of old rumours which had never been proved to have any foundation, and they were supposed to thank the Government and their supporters for the present opportunity of clearing their characters. If the Government were earnest in this matter, they would agree to the proposition which had just been made, first of all, to test the truth or untruth of the infamous letters attributed to his hon. Friend the Member for Cork. But the Government would not do that; they refused to tie themselves to those charges which had been made against him. Whatever might be the result of the action of the Government and their supporters, the people of the country would believe that it was an unfair

thing to ask that these matters should be inquired into in this way, and they would decide that it was an unfair thing on the part of the Government to refuse to allow an inquiry in connection with these letters. The Government knew that the letters would be proved to be forgeries.

THE CHAIRMAN said, the hon. Member was anticipating an Amendment which would come before the Committee later on.

MR. W. REDMOND said, he maintained that, unless the Amendment were accepted, the Commission would be placed in a most perplexing position. They would not know what they were to inquire into, and when they looked for the charges they would have nothing to go upon except the rumours of *The Times* newspaper. He thought it perfectly monstrous and infamous that any Party in this country should deny to any considerable section of the House the right to have the charges against them stated. The Government professed to believe that Irish Members were connected with all sorts of crime and outrage in Ireland. Could not the Government state their charges? They had their police, and he was convinced that if they had been able to prove anything against them, they would not have hesitated to put them on their trial. But the Bill was to inquire into charges and allegations against Members of that House. He wanted to know from some Member of the Government what the charges and allegations against Irish Members were to be. If the charges and allegations against Members of the House were to be inquired into at all, the Commission ought also to inquire into the conduct of the right hon. Gentleman the Chief Secretary for Ireland for being instrumental in the murders at Mitchelstown and the murder of Mr. Mandeville in Tullamore Gaol. The scope of the inquiry should also extend to the noble Lord the Member for South Paddington, who went over to the North of Ireland and made speeches to the people, the result of which was to dye the streets of Belfast with blood. Whatever was contained in *Parnellism and Crime* against Irish Members, there were charges against Members on the Treasury Bench and their supporters which were equally grave and equally serious, and which could be put forward with a great deal more evidence than the Government had to sustain the charges against Irish Members. Irish Members were charged with creating crime and outrage in Ireland; but the hon. and gallant Member for North Armagh (Colonel Saunderson) was as responsible as any man in the country for outrage in Ireland. The hon. and gallant Member could not deny that the author of *Parnellism and Crime* had carefully excluded from its pages everything relating to the violence of hon. Members opposite; but the hon. and gallant Gentleman had advised the people of Ireland to fight against the will of the House of Commons and to fight against the Government of Her Majesty the Queen; he had brought over to Ireland the noble Lord the Member for South Paddington (Lord Randolph Churchill), and his Party had brought bloodshed among the people and the burning of houses over the heads of tenants. He did not care more than a snap of the fingers for the Government Commission. Irish Members knew very well that they were playing with loaded dice; they knew that everything unscrupulous would be done by the Tory Party to shield *The Times* from the results of its infamous attack; and they looked to the people outside, who would be with him when he said that the inquiry would be a sham, inasmuch as the Government had not stated correctly the chargee against his hon. Friends, and had not also made the subject of inquiry the conduct of hon. and right hon. Members on the opposite side of the House. Whether the Commission sat or not, it would not alter in the slightest degree the opinion of the people of England, who believed that the prejudice in this case was against the Irish agitation. It was not Irish Members who were responsible for the unfortunate outrages in Ireland, but those who insisted, at the instance of a Tory Government, on ruling the Irish people against their will, torturing the most respectable men in the country, and turning out industrious people from their holdings, because they could not pay rent. That was really the cause of tumult and violence in Ireland; and the result of his own investigation was that outrage would continue until an end was put to the present system of government, which allowed Irish Members who sat in that House to

hear their opinions ridiculed and their characters bespattered by little men who knew a good deal about Law Courts, but nothing at all about the wants or desires of the people of Ireland.

MR. LABOUCHERE (Northampton) said, the Bill was the result of a conspiracy, speaking in a Parliamentary sense, between Her Majesty's Government and *The Times* newspaper. The Government were at that moment in a conspiracy of silence. His hon. and learned Friend the Member for Elgin and Nairn had proposed a fair and legitimate Amendment, and the only Gentleman who had risen to answer him was the Home Secretary, and his answer was that there would be no punishment attaching to anyone who was found guilty by the Commission. But he (Mr. Labouchere) wanted to know whether it was true that no punishment would attach to anyone? It was perfectly true that that Commission could not impose it; but supposing some persons were found to be parties to murder or arson in Ireland, would they not be prosecuted? Most unquestionably they would, and the fact of their disclosure would be the cause of their being prosecuted, and it would be used against them. He was ready to support the Bill, if the Government would only convince him that it was fair and just. What was the Commission going to do, if there was no Schedule? What was to be the nature of the proceedings? Was no individual to know with what he was to be charged? Was he not to be allowed to ask for discovery of documentary evidence, and know what witnesses would be brought against him? In short, were the ordinary rules of the Criminal Law to be adopted or not? He asked hon. Gentlemen opposite to look at the enormous cost that would be cast upon hon. Gentlemen if there was not to be some distinct plan laid down beforehand. Anyone might send a letter to the Commissioners and say he wanted to be heard; the Commissioners might, at any moment, start some fresh hare, and make a charge against some Gentleman belonging to the Nationalist Party, and that man must employ counsel during the whole time, and, of course, be put to an enormous expense. It would be said that the expense of evidence was very great in the case of the Metropolitan Board of Works. But that was an accident, and he himself was one who had been called upon to pay; the counsel in that case were paid for by the ratepayers of the Metropolis. Were the Government going to provide the members of the National League with counsel? Most assuredly not, and the expenses would be something perfectly enormous. He thought that at this stage of the Bill some explanation should be given of the procedure; it would simplify matters, and the Bill would be allowed to pass more speedily than at present it was likely to do. They ought to have some clear statement on this subject from the hon. and learned Solicitor General, whose name was on the Bill, and who was present to support the action of the Government because the hon. and learned Attorney General did not like to do so. Let the Committee have some explanation from him as to what would be the course of procedure, who would inaugurate the charges, and who would decide how they were to be taken. All these things were difficulties standing in their way, and it was necessary to remove them before they could give their assent to the Bill being passed.

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth) said, he was very doubtful whether anything he could say would shorten the discussion on the Bill. The reason why, during the last two hours, no speech had been made from the Government Bench was that those two hours had been spent in the mere repetition of arguments that had been used over and over again, urged and answered. There had not been, in the course of those two hours, one single fresh objection made, or one single new point started, upon which it would be reasonable that a Member of the Government should be asked to assist those who were impeding the progress of the Bill; and he declined, by repeating the statements he had before made, to increase the waste of time which had been caused by speeches made on the other side of the House. The tone of the speeches delivered had been clearly more applicable to the second reading of the measure. The objections made by the hon. Member for Northampton (Mr. Labouchere) were objections that had been made on the second reading of the Bill, which had been carried without a dissentient voice, because no one had dared to challenge a Division.

Without a dissentient voice the House had declared that a Commission should be established for the purpose of dealing with the charges and allegations made in the course of the trial which had taken place, and there was no doubt whatever at the time as to what those charges and allegations were, nor was there any doubt at the present moment. He entirely declined to repeat arguments which were properly referable to the second reading of the Bill. But the Amendment proposed that night was one which the Proposer knew would make it absolutely impossible to pass the Bill at all; he said that the Commission was to sit for years, because it would have so much to inquire into, and he proposed to the House to set to work and construct a Schedule which he (Sir Edward Clarke) ventured to say would take the Committee months to construct. In the first place, there was no reason for a Schedule at all. The hon. and learned Member for Dewsbury (Sir John Simon) said that the Government were keeping the Irish Members in the dark, and that they kept locked up in their breasts the charges against them. What conceivable ground was there for that statement.

SIR JOHN SIMON: Because you refuse to specify the charges.

SIR EDWARD CLARKE said, the hon. and learned Gentleman would not deny that he had quoted him correctly. [SIR JOHN SIMON: I do not deny it.] His hon. and learned Friend said that the Government were keeping charges against Irish Members locked up in their own breasts.

SIR JOHN SIMON said, he did not state it as a fact that the Government were keeping the charges locked up in their own breasts. His argument was, that the Government either knew what the charges were or they did not. That if they did know what the charges were, it was unfair and contrary to all ideas of justice that they should keep them locked up in their own breasts whilst they kept the Members referred to in the dark.

SIR EDWARD CLARKE said, the Government had no more means of knowledge with regard to these charges than hon. Members opposite. The charges were not charges any Member of the Government made. They were charges which were published in a public print, and which had been before the world for months, and they were charges the gravity of which and the importance of which and the character of which no Member had ever doubted. The only thing that was remarkable was that they had had two instances to-night that those who were mentioned in the articles on *Parnellism and Crime* were extremely anxious to take the opportunity of making statements as to fact in the House to which the Committee listened with respectful and silent interest, but those persons were very careful indeed not to take the opportunity of making those statements as to facts where they could be challenged by cross-examination.

MR. SEXTON: We want to know what the charges and allegations are.

SIR EDWARD CLARKE said, that that was the only thing which was remarkable in this matter. All the charges and allegations were known long ago. What did the hon. Member (Mr. Anderson) propose by this Amendment? He proposed that a Schedule should be added to the Bill, and that it should contain a list of the charges which the Commission was to investigate. Who were to frame that Schedule? The Government? The Government absolutely declined to take that responsibility. He thought that by taking that duty upon itself the Government would, in a most unjustifiable way, change the whole character of these proceedings. The Judges who would be appointed as Commissioners in this matter would have before them very serious statements of fact to consider and investigate. Those statements of fact were not statements of fact which would be brought before them by the Government, or in respect of which the Government took, or ever had taken, the character of prosecutor. And suppose the Government were to take this step, which he maintained would be a most unjustifiable step, and one which would be a gross and unjustifiable departure from the lines they had followed —suppose the Government were to take upon themselves the task of preparing a Schedule of 30 or 40 charges against different persons, how long would hon. Members think that it would take to discuss that Schedule in the House?

MR. T. P. O'CONNOR (Liverpool, Scotland): Half-an-hour.

SIR EDWARD CLARKE said, that with regard to every charge and every line in the Schedule, the first question asked would be—"Can you find accusations at all in *Parnellism and Crime?* If you can find accusations, against how many are they directed, and how many will you specify in connection with them?" The Commission would be at once involved in an operation which was absolutely unnecessary for the guidance of the three Judges who would have this matter before them. The Amendment would only have the effect of limiting the inquiry, for it could not extend the area of the inquiry by the Judges, and moreover it would lead the Commission into a controversy which would certainly occupy weeks, and possibly months, of Parliamentary time. It was not difficult, after what had taken place to-night, to see that the purpose of the Amendment was to induce the Commission to take a course which would make the passing of this Bill impossible. They, on the Government Benches, wanted to have the Bill passed and the investigation made, and they would not be parties to the taking of any step which would make the passing of the Bill impossible.

SIR WILLIAM HARCOURT (Derby) said, the Solicitor General had said one very important thing which he wished the hon. and learned Gentleman had followed out. The hon. and learned Gentleman said that everybody knew what the charges and allegations were. If everybody knew that, the hon. and learned Gentleman might, in much less time than he had occupied by his speech, have given them a statement as to what he thought the charges and allegations were. He was not saying that the hon. and learned Gentleman might have produced them on behalf of the Government, but he might have said what he understood them to be. He (Sir William Harcourt) confessed that until this discussion began he did think he knew what the charges and allegations were. He thought the charges and allegations were that the hon. Gentleman the Member for the City of Cork (Mr. Parnell) and other Members of the Parliamentary Party had been accomplices in crime in Ireland; but there was no man who had taken more pains to explain to the Committee that that was not the charge than the Solicitor General. He (Sir William Harcourt) confessed that he had derived the impression from the language of the Government throughout this debate that they had made up their minds that that charge had broken down or would break down. [*Cries of* "No, no!"] Yes, because he observed that the moment it was endeavoured to fix the inquiry to that charge which they all believed to be the charge, the ingenuity of the Home Secretary and the Solicitor General was employed in escaping from that charge, taking care to provide themselves with some other. It would be remembered that last night the great object of the Solicitor General was to explain that it was not complicity with crime against the hon. Member for Cork or his Colleagues which was the main charge. The Solicitor General said—"What we want to get at is intimidation."

SIR EDWARD CLARKE: I never said that.

SIR WILLIAM HARCOURT said, he was speaking in the presence of hon. Members who heard the Solicitor General. Would the hon. and learned Gentleman say he never referred to intimidation? It was urged against the Amendment of the hon. and learned Member for Dumfries (Mr. R. T. Reid) that the words would not include intimidation. What was the conclusion to be drawn from that? That the Government, at all events as far as they were concerned, desired that this inquiry should embrace intimidation. What did that mean? It meant exactly the very thing which his right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain) said ought to be excluded. The object of the Solicitor General in rejecting the Amendment of the hon. and learned Member for Dumfries, was that he wished to drag in the Plan of Campaign and Boycotting. The word "intimidation," to which had been given the widest possible definition, included what was called exclusive dealing and the like, and that was what the Government desired above all things to include in the inquiry. There was no man who was more responsible than the Solicitor General for having altered the universal impression of what was the intention of this inquiry, and of what was the meaning of the charges which had been brought. They were told by the Solicitor General that these charges

and allegations were to include intimidation. What did he mean by intimidation? He (Sir William Harcourt) thought they ought to know before they went any further with the Bill how much or how little the Solicitor General intended to include in this inquiry under the plea of intimidation. The hon. and learned Gentleman said that the object of the Amendment was to restrain and to limit the inquiry. In a certain sense, of course, it was. It was intended to restrain and limit the inquiry to crime and complicity with crime in the ordinary and popular sense of the word. He did not want to go into any technicalities. They all knew perfectly well what they meant when they were talking of crime. If they did not know it, depend upon it the people outside knew it. They did not mean a charge against an individual or against associations with reference to offences—and he would not ask the question as to how far they were offences or not—of Boycotting and so forth. His right hon. Friend the Member for West Birmingham had said questions of that kind ought to be excluded from the consideration of the Commission, and yet they had the Solicitor General insisting that that was a vital and principal part of the inquiry. Under such circumstances, he asserted that the hon. and learned Gentleman had no right to say that everybody knew what the charges and allegations were. If the charges and allegations were charges and allegations of intimidation, meaning by that to include all questions of the Plan of Campaign and Boycotting, he (Sir William Harcourt) said that everybody did not know what the allegations and charges were; because, even by those who were supporting the Bill, like his right hon. Friend the Member for West Birmingham, such a scope of the Bill had been refused. The Government had no right to complain that the Opposition should still be pressing for a further understanding as to the meaning of this Commission, for they themselves, through the mouth of the Home Secretary and the Solicitor General, had been the principal persons to throw doubt and misgiving and suspicion upon the character of the inquiry. If the Solicitor General was right, and if intimidation was to be a main and principal part of this investigation——

SIR EDWARD CLARKE: I have never said so. I have never said a word about this matter this evening, because we have passed from the Amendment to which that question was relevant. I did not at any time last night say that intimidation was to be the main part of the inquiry.

SIR WILLIAM HARCOURT: I did not say the main, but I said a main and principal part of the inquiry.

SIR EDWARD CLARKE: There cannot be two principal parts.

SIR WILLIAM HARCOURT said, that that was special pleading unworthy of the hon. and learned Gentleman. Would the hon. and learned Gentleman get up and say that intimidation was not to be a main part of the inquiry? Would he get up and say that intimidation, including Boycotting and the Plan of Campaign, was to be no part of the inquiry? That was a definite proposition.

SIR EDWARD CLARKE: I did not say that the Plan of Campaign would form any part of the inquiry. As regards intimidation, what I said was that it ought not be excluded from the Commissioners' purview.

SIR WILLIAM HARCOURT asked if Boycotting was to be part of the inquiry? If the hon. and learned Gentleman would not answer, then he had no right to say that everybody knew what the charges and allegations were. The hon. and learned Gentleman might have it one way or the other. He might have it as the unavowed counsel for *The Times*; but he could not have it as the representative of the Government, and say they had nothing to do with this inquiry. If they shirked them, what were they shirking? They were shirking what the right hon. Gentleman the Member for West Birmingham said ought not to be included in this inquiry. Why ought it not to be included? Because, if it was excluded from the inquiry, this would fail to be what it was intended be—a political prosecution against a political organization; because it would no longer be an inquiry into the conduct and connection of the hon. Member for the City of Cork (Mr. Parnell) and his Colleagues with the commission of crime, and it would fail to be a convenient engine to be worked in concert with the Crimes Act. The Go-

vernment were really conducting this Bill as if it were a Crimes Bill. If the Bill were amended as proposed, the Government realized that it would deprive them of the advantage that they expected and desired—namely, of using it as a means of collecting evidence in Ireland for the purpose of enabling them to work against a political organization. When he heard the words of the Solicitor General last night, he said—"For once an ingenious and a wary counsel has forgotten himself; he has revealed the true intentions of this wide net you are spreading; he has made it evident and conspicuous that this is not what it pretends to be." The Government pretended that they were no party to this matter, and that they could not settle the issues. Why did they not get the assistance of Mr. Walter; why did they not get the assistance of the hon. and learned Gentleman the Member for the Isle of Wight (Sir Richard Webster) to settle any issues they chose upon this subject? They said they had not the knowledge. They had plenty of knowledge. What they wanted was in these vague and general words to be able, first at one moment and then at another, to enlarge the issues so as entirely to escape from the objects for which they pretended to appoint this Commission, and to convert it into a general political prosecution by which they hoped to overwhelm their political enemies. He hoped the Committee would, by the adoption of this Amendment, refuse to allow that to be done.

MR. MATTHEWS said, that by the Amendment before the Committee, it was proposed that the charges to be inquired into by the Commissioners should be set out in the Schedule. Upon that Amendment the right hon. Gentleman the Member for Derby (Sir William Harcourt) had thought fit to deliver a speech, which, if it had any credit at all, was a second reading speech; yet the right hon. Gentleman allowed the Bill to be read a second time without challenging a Division. Now, all the Bill proposed to do was to refer to inquiry by the Commissioners the charges and allegations made in the course of the proceedings in the case of "O'Donnell *v.* Walter." Did the right hon. Gentleman know what those charges and allegations were? He told them he did. If he did not know what they were, why did he allow the Bill to go to a second reading without a Division? If he did know what they were, why did he come now and ask the Government to make them clear by defining them? The matter was really so plain it only required stating. What was to be inquired into were the charges and allegations made during the trial of the action of "O'Donnell *v.* Walter," and either those charges were clear or not. If they were clear, there was no necessity to define and state them in the Schedule. If they were not clear, did they call upon the Government to make them clear? [*Cries of* "Yes!"] That was precisely what the Government declined to do. Did hon. Members opposite desire that the Government should commit—should he call it the mistake or the folly of adding charges which were not theirs, which they did not endorse, and which they did not accept? The Bill was to inquire into the charges which were there, for they were there or they were not there. If they were there, they needed no definition from the Government; if they were not there, what were hon. Gentlemen afraid of? The Commissioners would not inquire into a charge which was not made in those proceedings; they would not inquire into a charge which was so undefined or vague that no one could gather what it was. It might be said there appeared to be some suspicion of a charge, some vague innuendo which they did not understand in the paragraphs of the newspaper or in the proceedings of the action. That was precisely why neither the Government nor, he should think, anyone else in the House would undertake to define, or amplify, or add to the charges and allegations. The Government were not in the position of accusers, as the right hon. Gentleman the Member for Derby had most unjustly suggested they were. They did not propose to add one tittle to the allegations made in the course of the proceedings. If the articles in *The Times*, and the proceedings in the trial were so vague that no charge could be extracted from them, the Government desired to leave them in that imperfect condition. He maintained that the only purpose of inserting a Schedule must be either to limit the inquiry into that

which was charged—and that the right hon. Gentleman would not avow openly to be his object—or the purpose was to endeavour to fix upon somebody, probably the Government, the odious office of adding to vague statements, and amplifying them by making them clear and distinct. That was precisely what the Government had never undertaken to do, and what they would not do. Such as the charges were, such as the accusations were in the articles in *The Times*, they referred them to the Commission. That was perfectly intelligible and clear. The right hon. Gentleman the Member for Derby fastened upon an expression used by the Solicitor General last night, and he said—"You have alleged that Boycotting is to be a main, or principal, or some part of this inquiry." It was to be a part of the inquiry if it was alleged as a charge in the articles, and why not? The right hon. Gentleman had, perhaps, detected some passage which had escaped his (Mr. Matthews') notice; but, as he read these articles, Boycotting was made a matter of charge only in so far as it was part of a course of outrage culminating in criminal violence; and if any evidence of that sort could be laid before the Commission, did the right hon. Gentleman propose to exclude from the Commission the course of proof which should be given, which should be traced through a clear course of intimidation, Boycotting, and ultimately of more serious outrage? Did he propose to cut out all the middle links of the chain? He (Mr. Matthews) proposed to put nothing in; if it was in the proceedings of "O'Donnell *v.* Walter," the Commission would inquire into it; if it was not alleged there, they would not inquire into it. He had failed to detect any distinct reference to Boycotting at all in the articles. It might be that there was a passage here and there in which intimidation was alluded to as one of the means of terrorism and outrage which certain persons were alleged to have used, or encouraged, or connived at, or availed themselves of. That was what would form a proper part of the inquiry before the Commission. As to the Plan of Campaign, he had said already in the course of the debates—indeed, the debates seemed to consist of reiteration—he had said he could not find the Plan of Campaign hinted at or alluded to in the course of the articles. It followed, therefore, that the Plan of Campaign would not be a subject of inquiry by the Commissioners. The bulk of the charges contained in the articles were intelligible enough. There might be passages, such as that which the hon. Gentleman the Member for Belfast (Mr. Sexton) alluded to this evening, from which it was difficult to adduce precisely what the writer of the article meant; whether he meant to impute that the visit of the hon. Member for Cork (Mr. Parnell) to Paris was accidental or wilful, or whether, being wilful, it was for a mischievous purpose or not. Until the Commissioners thought that there was something suspicious about the meeting in Paris, the hon. Member need not trouble himself about the charge or allegation. Of course, if any evidence were produced giving a complexion of any seriousness or gravity to the meeting in Paris, the hon. Member would have an intimation of it, and would be called before the Commissioners. The hon. Member had himself said the only passages in which his name was alluded to contained no charges or allegations against him. Very well, there would be nothing to be inquired into by the Commissioners so far as he was concerned. But whatever was there the Government desired to refer to the Commissioners; they referred nothing more, and they declined to put their hands to the very invidious and hateful office of amplifying and making clear that which was obscure, to add to that which was imperfect, to amplify that which was incomplete. If the allegations in the proceedings were obscure, incomplete, inconclusive, let them remain with all their sins on their heads; the Government left them there to fall by their own imperfections. The right hon. Gentleman the Member for Derby had referred to the request to refer these matters to a Select Committee; but the constitution of the tribunal could not alter the substance of the charges. The charges were there always, the indictment was always there; there were many bad counts in it, no doubt. So be it; they had got a tribunal which would be better able to strike out of the indictment its bad and invalid counts; by altering the tribunal they did not alter the charges which the Irish Members

themselves desired to submit to some tribunal only a few months ago. He thought that of all other tribunals the one the Government now proposed was the most competent to winnow out the material substance of the charges and allegations which were made.

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale) said, he only desired to say one word upon this point. He did not intend to continue the argument which had been going on now for two or three hours, but wanted to put before the Committee that which seemed, in his opinion, to make it impossible to place the charges in the Schedule. The debate up to now had been conducted as if the Irish Members and certain other persons who had been connected with them were the only defendants in this case, and as if the Commission was going to be a Court which was to try them on certain charges; but the Irish Members and those who had been connected with them were by no means the only defendants. *The Times* newspaper was as much a defendant as any Member of the Irish Party. Members of the Committee would recollect for one moment how these proceedings began. The hon. Member for the City of Cork (Mr. Parnell) asked for a Committee of the House to inquire into certain charges which, in his opinion, affected his character and his honour. The Government refused, for reasons which it was unnecessary to discuss now, to grant a Committee this year as they refused to grant it last year; but, in place of a Committee, they now offered the hon. Member a Commission which was to investigate those matters which he desired should be investigated by a Committee. No doubt the hon. Member for Cork might have desired the Reference to the Committee should be a more limited one than the Reference which was proposed to be made to the Commission; but, undoubtedly, the Reference which the Government proposed to make to the Commission would, at least, be as extensive as the one which the hon. Member for Cork desired to make to the Committee. If the hon. Member or any of his Friends were aggrieved at anything which appeared in *The Times* articles, and in the statement of the Attorney General, in the case of "O'Donnell *v.* Walter," he conceived it would be competent for those hon. Members to bring such statements before the cognizance of the Commission, and to call upon *The Times* to substantiate the allegations, or to call upon the Commission to declare that those allegations had not been substantiated. In the course of the discussion speeches had been made which seemed to prove absolutely the impossibility of specifying certain charges in the Schedule proposed. The hon. Member for West Belfast (Mr. Sexton) and the hon. and learned Member for Longford (Mr. T. M. Healy) had said their names were included in *The Times* articles in such a way as to insinuate, if not to make, charges against them. He maintained it was competent for them, under the Reference as it stood, to go before the Commission and to point out the charges, and to point out the manner in which they considered their characters affected by anything which appeared in the articles, and call upon *The Times* either to substantiate their statements, or to call upon the Commission to declare that the statements were unfounded. Of course it was competent for *The Times*, as the hon. and learned Member for Longford said, to contend that in the case, for instance, of the hon. and learned Member for Longford himself, a criminal charge was never made against him at all; but if the hon. Member for Londonderry (Mr. Justin M'Carthy) could show that his character was affected by anything which appeared in the articles, under the Reference as it stood it would be competent for him to have his character cleared before the Commission. How on earth could anything of that sort be done if the Government were called upon to put certain charges in the Schedule? That would be a limitation of the rights of hon. Members to appear before the Commission, and it seemed to him it was absolutely incompatible with the grounds upon which the Commission was ever granted. It, therefore, appeared to him that they were indulging in a most lamentable waste of time which was utterly inconsistent with the purpose for which the Commission was to be instituted.

MR. J. B. BALFOUR (Clackmannan, &c.) said, it appeared to him that what had been said by the Home Secretary and the Solicitor General very recently made it quite essential that in some form or another there should be a definition

of the subjects of inquiry. The right hon. Gentleman the Home Secretary had told them that the Government did not at any stage of these proceedings propose to take or accept any responsibility for formulating the charges or conducting the proceedings. If it had been a case in which the Government was going to conduct the proceedings or formulate the charges before the Commission, then, of course, the Government would have held itself bound by statements made by its Members in this House; and those who felt there was very great danger of this inquiry wandering over subjects which could never be contemplated, or ought not to be contemplated, would have had the security that the Government would have limited the charges to those things which had appeared. But they were told that the Government were simply to start this Commission, to set it at large, and that they were to have no responsibility for it. It seemed to him to be in the highest degree essential that the limits and scope of the inquiry should be defined in the Bill, because they would not get any help from the Government in the matter. It had been said by the right hon. Gentleman that he would not say what were charges and what were not charges in *The Times*' pamphlets. But surely the Government promoting this Bill knew what they meant by the charges and allegations? The demand the Opposition were now making was simply that the Government should define what they referred to by the words "charges and allegations." If the word "charges" had been used alone there might have been considerable ground for saying the inquiry was limited by the expression of criminal charges; but the Government resisted an Amendment to strike out the word "allegations," and, therefore, it seemed they intended the inquiry to wander over allegations which were not in the nature of charges. They had had other admissions from the Government, and they were most important admissions. They were, for instance, told that there were some matters, such as intimidation and Boycotting, which were not intended to be the subject of this inquiry. If this were a universal inquiry, one could understand the position of the Government; but if it was not to be a universal inquiry, if there were some things set out in the proceedings in the nature of allegations which were not to be inquired into, then surely it became absolutely necessary that before they started a Commission like this they should define and separate things which were to be the subjects of inquiry from those which were not. And so he submitted that, whether it be by Schedule or definition in another way, the Government ought to say what it meant by charges and allegations which it appointed the Commission to inquire into. By this Amendment it was simply asked that it should be stated what the charges were, and he submitted to the Committee that that was a very reasonable demand and one which ought to be conceded.

Question put.

The Committee *divided*:—Ayes 200; Noes 245: Majority 45.—(Div. List, No. 251.)

MR. MOLLOY (King's Co., Birr) said, that in respect to all the Amendments moved up to the present moment, the staple argument of the Government and their supporters had been that the Amendments were calculated to restrict the powers of the Judges, to restrict the area of their research into the mass of charges and allegations which had been made. Against the Amendment he now proposed that charge could not be brought; on the contrary, the Amendment would extend the powers of the Commission. It would give to the Commissioners even a much larger power than they would have under the Bill as it now stood. It would enable them to sift more thoroughly and accurately and in the sense the Government had desired, the charges and allegations which had been made. Yesterday he took the opportunity of asking the Government what interpretation was to be placed on the words of the Bill, "The Commissioners shall inquire into and report upon," and the Home Secretary said that the Judges sitting upon this Commission would have full power to use their discretion in declining to go into any matter which they thought was not worthy of investigation. The answer of the right hon. Gentleman not being as clear as he thought it ought to be, he again pressed the Home Secretary upon the point, and again the right hon. Gentleman asserted that the discretion of the Judges would practically be absolute.

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He (Mr. Molloy) had some doubt on the point at the moment, but he did not like to enter upon an argument as to the legal interpretation of words with so eminent an authority as the Home Secretary. Since then, however, he had taken counsel with those who were better able to decide what would be the interpretation of the words, and while some of them agreed with the Home Secretary's view the greater number of them had told him that the interpretation of the words of the Bill to which he called attention would not be such as the right hon. Gentleman stated. Whether that were so or not mattered little, because the Government, speaking through the Home Secretary, stated it was the intention of the Government and the interpretation of the Bill itself that if matters were submitted to the Judges which their Lordships thought were not worthy of notice and which really did not affect the main Question under consideration, they might be able to throw them out. The right hon. Gentleman also stated that the Government had no desire that the main and real issues which were to be tried by the Commissioners should be obscured by anything in the nature of frivolous statements or allegations. One right hon. Gentleman and others on the Opposition side of the House, who were entirely in accord with the Government with regard to this Bill, had in the course of their observations stated that that was their view. A doubt had arisen, not in the minds of the Government, because the Government had declared their interpretation in the clearest and most distinct language, but in the minds of some who were also entitled to an opinion upon the subject, and the Amendment he had put down asked no more from the Government than that they should put in the Bill words—whether they were the words he suggested or other words to the same effect he did not care—to make clear that which was the real and proper interpretation of the Bill. If the interpretation put upon the words by the Judges was the same as that put upon them by the Home Secretary, it did not matter, but if the words he proposed were added nothing in the Bill would be altered, nothing in the intentions of the Government would be altered, the Judges would not be crippled in anything they did, they would be restricted in no sense whatever. The Amendment would do no more than enable the Judges if some counsel appeared before them on behalf of some accuser and called on them under the mandatory words of the clause to enter into that which was frivolous and which might be even exceedingly stupid, to say—"We don't think there is anything in the matter you have brought before us and in the exercise of our discretion we will not at present enter into it." He was bound to accept the *bona fides* of the statement the Government had made on this question, he was bound to accept the statement that the Government did not mean that the Judges should be compelled to enter into irrelevant matter. But the Government, if they wished to prove their *bona fides* in the matter, could not, he assumed, refuse to accept his Amendment. He begged to move the Amendment which stood in his name.

Amendment proposed, in page 1, line 18, after the word "allegations," to insert the words "or such of them as the Commissioners may think fit."—(*Mr. Molloy.*)

Question proposed, "That those words be there inserted."

MR. MATTHEWS said, he sympathized with the motives the hon. and learned Gentleman had in moving this Amendment; but the words of the Amendment were larger than they need be to effect the object the hon. and learned Member had in view. If the Amendment was adopted the Commissioners would not be bound to inquire into anything unless they liked. [*Cries of* "Oh!"] Yes; that was so. The words of the Amendment were "or such of them as the Commissioners may think fit." They might not think it fit to inquire into any subject, however grave and important. In point of fact, it would be left entirely at large for the Commissioners to select their own subjects for inquiry as they thought fit. He did not think that would meet the wishes of any party; what was more, he did not think that would be fair to the Commissioners themselves. What was the use of giving the Commissioners power without telling them what they were to do? The hon. and learned Member (Mr. Molloy) con-

tended last night that the words of the clause as they now stood would compel the Commissioners to inquire into everything, however minute and frivolous, which might be alleged. He did not know whether the hon. and learned Gentleman bore in mind that there was no process known to the law by which they could control the action of Commissioners. Discretion must be left to the Commissioners; it could not be demanded that they must inquire into this, that, or the other. A good deal must be left to the judgment of the Commissioners appointed in matters of this kind. Of course, he assumed they would conduct the inquiry conscientiously. Being men of sense and honour it must be taken for granted they would not allow themselves to be dragged into an inquiry—into what the hon. Member called frivolous and irrelevant allegations. The clause did not say the Commissioners were to inquire "into each and every allegation," which were the words used by the hon. and learned Member last night. The words of the clause were general words, and they were wide enough to embrace whatever was charged. But it appeared to him it was perfectly clear that the Commissioners were masters of the situation. The thing was committed to their good faith and honour and discretion and judgment. The instant the Committee put in the words suggested by the hon. and learned Member, they left the Commissioners nothing to inquire into; they imposed no duty upon the Commissioners; they would give the Commissioners no criterion of what they should think fit to inquire into. He never knew of it ever being suggested before that Commissioners had no discretion. The Commissioners in this case would realize that they had been referred to charges and allegations which had a real meaning and significance, and they would decline to waste their time in going into matters of no significance or value. Such was the course which a Judge took in a civil action. When a Judge was convinced that matter was irrelevant, he stopped it and would not allow it to go on. *A fortiori* the Commissioners would have the power to do the same.

SIR WILLIAM HARCOURT said, that every word of the speech of the Home Secretary was an argument for the Amendment. The right hon. Gentleman said the Commissioners should be told what they were to inquire into. That was what the Opposition had been contending for all along, but what they could not get. The present demand, however, was a much smaller one, for it was that the Commissioners should not be put under an obligation to inquire into things which they did not think were necessary to the inquiry. Why did the Government object to that? Because of the pressure put upon them to go into all sorts of things. It was because Mr. Walter wanted to go into everything concerning the Irish National movement. That was the meaning of it. The Government could not decently argue against the Amendment. The Home Secretary said the Commissioners must have discretion. This Amendment was to give them discretion, and the Home Secretary refused it. Why? Because the hon. and learned Member for the Isle of Wight (Sir Richard Webster) had told them the Commissioners ought to have discretion; that they were to inquire into everything Mr. Walter wished them to inquire into. How did the Home Secretary meet the Amendment? The right hon. Gentleman said—"Oh, a Judge in a civil action has the discretion to stop matter irrelevant to the issue. That was quite true; but the Government took very great care there should not be any issue in this case. They saw exactly what the meaning was. Of course, the Home Secretary could not state the real reason of the extraordinary proceeding of pitchforking into the inquiry allegations which they were so careful not to define. Why was it? Because they want to allow *The Times* to fling its dirt without any restraint. That was the real meaning of it. The Government could not stop this debate; they could not close the mouths of the Opposition. It was clear that Ministers were merely making this Bill a conduit pipe for the foul water which *The Times* wished to throw on the Irish Nation and its leaders. That was the policy the Government were pursuing, hoping and desiring that they might destroy the National cause or discredit it by this miscellaneous flinging of dirt. And that was why they would not trust the Commissioners. They said—"Oh; let us leave it to the Commissioners to say what is to be inquired into." Let them take

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as an illustration the Plan of Campaign. The Solicitor General said, "Oh, no; they will not inquire into the Plan of Campaign." But there was a much more powerful man behind the Solicitor General and the Home Secretary, and that was the proprietor of *The Times;* he said—"Oh, yes. It is all very well. You are the nominal promoters of this Commission, but it is my Commission, and the Commission must be made to suit my purpose, and it will not suit my purpose at all to have a judicial man saying this is not a thing which ought to be inquired into. I claim the right to go into whatever I like, and I will fling dirt exactly in the way I like, and you shall have no means or authority to say me nay." The Government might wrap it up and disavow it as they liked, but to any man of common sense the position was perfectly transparent. If the Government meant the Judges to have the discretion to say what should be inquired into and what should not, why did they refuse this Amendment? The Home Secretary said that if the Committee passed this Amendment, the Commissioners would not be obliged to inquire into anything. That was the Government's confidence in the Judges. That was the way they believed in the Judges. They said—"Oh, if you let them off they will inquire into nothing." Was there ever an argument so preposterous and ridiculous placed before reasonable men as that stated by the Home Secretary? Let the Government say at once they did not trust the discretion of the Judges. The Home Secretary also said—"There is no penal process you can take." Was that the way they wanted to treat these Commissioners? If the Government meant the Commissioners to be judges of what was to be done in this matter, they ought to indicate in the Bill that that was their view; they ought to say—"We fling at you the miscellaneous slanders in the Attorney General's speech to inquire into, but we do not force you to disentangle and to deal with every particle of this slimy web of calumny which has been woven by *The Times* and its counsel. We treat you as reasonable men. You shall pick out what you think is worth investigation. We do not expect you to wallow for ever in this slime or to continue in it any longer than you need. We leave you the discretion to pick out of this gigantic libel what you think worth inquiring into. We do not regard ourselves as the agents of Mr. Walter for the purpose of working out his wish in this matter." If that was not the intention of the Government, why did they refuse to give the Judges discretion as to what should be the matters they should inquire into? Nothing would more test the real meaning of the Bill, and the real objects of the Government in this Bill, than the course which they took upon such an Amendment as this. They could not pretend that this was an Amendment to limit the inquiry. As a matter of fact, the Amendment was intended to give to the Commissioners whom the Government professed to trust a discretion which the Government refused them, but for which refusal, he ventured to say, they could give no valid reason.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. J. P. B. ROBERTSON) (Bute) thought he could discover in the strange rhetoric of the right hon. Gentleman the Member for Derby (Sir William Harcourt) some echo of a former speech in which the right hon. Gentleman spoke of persons as being stewing or wallowing—he (Mr. J. P. B. Robertson) forgot which it was—in Parnellite juice. He could not help thinking that to-night there had been a strange exhibition of the extreme danger of indulging a propensity which seemed so congenial to the right hon. Gentleman whether it referred to politics or flowers of rhetoric. The right hon. Gentleman had said that this Bill was an attempt to throw miscellaneous slanders at the Government's political opponents. That, of course, he denied; but he knew that every Amendment proposed to the Bill had been used by the Party opposite as an opportunity for throwing slanders at their political opponents. Certainly, no more unfounded slander could be uttered than that which the right hon. Gentleman had thrown across the floor—namely, that the Government were at present in collusion with the proprietors of *The Times*. That was a statement which the right hon. Gentleman could not be prevented from making, but it was a statement which must be met with a most unqualified and unceremonius contradiction.

Sir William Harcourt

SIR WILLIAM HARCOURT: I will withdraw the statement when the First Lord of the Treasury denies the statement which I have challenged him to deny more than once, that in settling this Bill Mr. Walter, of *The Times*, was consulted.

MR. W. H. SMITH: The charge was so contemptible that I did not think it worth while to deny it in this House. But I deny it absolutely, as being utterly and entirely without foundation; and I am amazed that a Gentleman could be found to advance it.

SIR WILLIAM HARCOURT: If I am to understand the First Lord of the Treasury to say that he has not seen Mr. Walter, I beg leave to withdraw what I have said.

MR. W. H. SMITH: I have not said that I have not seen Mr. Walter. I deny absolutely that there has been—[*Loud derisive cheers.*]

THE CHAIRMAN: Order, order! I must appeal to right hon. and hon. Gentlemen to remember some of the traditions of the House. These demonstrations are most unseemly.

MR. W. H. SMITH: I say I deny absolutely that I have had any negotiation, any arrangement whatever, with Mr. Walter with reference to this Bill. Mr. Walter has called upon me, as it has been his practice to do, as an old friend; but we have made no arrangement whatever of any kind. He never saw the Reference; he never saw the Bill. I never had any sort of plan or scheme or contrivance with Mr. Walter in regard to this Bill.

MR. W. E. GLADSTONE: Are we to understand in plain terms that the right hon. Gentleman has had no communication with Mr. Walter on the subject of this Bill and on the subject to which it refers?

MR. W. H. SMITH: I think I have spoken as plainly as I could. I distinctly stated that the Reference of the Bill was settled without any communication whatever with Mr. Walter, that the Bill was settled without any communication whatever with Mr. Walter, and that he has had no influence with me or on my mind. I have had no communication with him.

SIR WILLIAM HARCOURT: I wish the right hon. Gentleman had been able to say that he had held no communication with Mr. Walter on the subject of this Bill, because, if so, I should have been in the position of being able to withdraw what I have said, and to apologize to the right hon. Gentleman.

MR. GOSCHEN: Does the right hon. Gentleman not withdraw the statement after what has been said by my right hon. Friend? [*Cries of* "No!"] Does he not withdraw the statement that this Bill has been drawn up in connivance with Mr. Walter?

SIR WILLIAM HARCOURT: I did not use the word "connivance;" I used the word "communication."

MR. GOSCHEN: The whole purport of the right hon. Gentleman's speech was to show that the Bill had been arranged with the proprietor of *The Times*, and that it was in consequence of communications with him—[*Cries of* "Collusion!"] Yes; collusion was the word he used. I should have thought that the right hon. Gentleman, occupying the position which he does, after the denial of my right hon. Friend, instead of trying to ride off on the point of "communication," would have thought it his duty to apologize.

SIR WILLIAM HARCOURT: I say, with all sincerity, that no man in this House has greater personal respect than I have for the First Lord of the Treasury, and I hope I have never done or said anything inconsistent with that feeling. But I have stated exactly what I desire to condemn. I think it extremely improper that in a matter of this kind the Government should have communicated with one party and not with the other. The fact stands, and the Government now admit it. I will not say how far they have arranged or what was the character of these communications. That, of course, I do not know, and I am perfectly willing to accept the statement of the right hon. Gentleman. But the point of my condemnation was, and, I am sorry to say, is, that in a matter of this extreme delicacy and importance the Government have communicated with the proprietor of *The Times*, and they have not communicated with the hon. Member for Cork.

MR. W. H. SMITH: I think I have been explicit. [*Loud cries of* "No, no!"]

THE CHAIRMAN: Order, order!

MR. W. H. SMITH: I have stated that the Reference was settled without any communication whatever with *The Times*. I have stated that the Bill was drafted without any communication

whatever with *The Times*, and when I admitted that Mr. Walter called on me I admitted a fact which I could not deny and which I did not wish to deny. But I say that he made no communication to me which has had or could have the least weight or influence upon me. He mentioned the fact of the Bill to me; but he neither sought to influence me, nor should I have permitted him to influence me. If I had kept back the fact that he had called at my house once since the Bill has been in print, I should have been unworthy the belief which I trust the House will always have in any statement I make. I assure the House that neither by word nor by writing has *The Times*, through its proprietor or editor, exercised the least influence or pressure whatever on the Government with regard to this Bill.

MR. T. P. O'CONNOR: I must say I think the right hon. Gentleman, when he was speaking on this matter, might have given the House the assurance that he was not influenced either by the proprietor or the counsel to *The Times*.

MR. W. H. SMITH: I think I have said so. [*Cries of* "No, no!"]

THE CHAIRMAN: Order, order!

MR. J. P. B. ROBERTSON said, that what he was particularly anxious to point out was that the present proposal of right hon. Gentlemen opposite was not in sequence with their action last year. The proposition incessantly advanced by right hon. Gentlemen opposite was that the very best method of elucidating the truth was to refer this question to a Committee of the House. What would have happened suppose such a reference had taken place? Let him read what was said by the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) in the debate on the 6th of May, 1887; and the right hon. Gentleman spoke, as he stated, merely because the right hon. Gentleman the Member for Mid Lothian had spoken already, and, therefore, was disqualified from speaking. What the right hon. Gentleman (Mr. John Morley) said was—

"What is submitted to the House is a proposal by which the whole body of the charges made by *The Times* newspaper against the Irish Members shall be submitted to the judgment of a Committee of this House."—(3 *Hansard*, [314] 1223-4.)

It was not that the Committee was to have the right of selection of the charges: it was the whole body of charges which was to be submitted to the Committee. The Committee, of course, would have had to determine what was the substance and gravamen of the charges. That was matter for the Judges. They were to make up their minds as to what in truth and fairness were charges and allegations, but once having made up their minds upon that point they were to prosecute inquiries into those charges and allegations. What was the proposal of right hon. Gentlemen opposite? Why, it was positively this—that the Judges were to make a selection of the charges and allegations. Could anything be more invidious than to throw on the Judges such a duty as that of the selection of the charges and allegations? What he maintained was that the Judges would eliminate and throw aside those statements or propositions in the articles which did not constitute charges or allegations, but which were merely incidental or trivial or irrelevant assertions. But what they would prosecute their inquiries into were, as the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) said, "The whole body of charges made by *The Times* newspaper." [MR. MUNDELLA (Sheffield, Brightside): Oh, oh!] Did not the right hon. Gentleman the Member for Sheffield suppose that the right hon. Gentleman the Member for Newcastle-upon-Tyne did not mean that the whole sum and substance of what was alleged by *The Times* should be investigated?

MR. W. E. GLADSTONE: Certainly not.

MR. J. P. B. ROBERTSON said, that the right hon. Gentleman was entitled to have his own opinion. [*Cries of* "Read, read!"]

MR. W. E. GLADSTONE: I beg pardon——

MR. J. P. B. ROBERTSON (who refused to give way) said, that the right hon. Gentleman's (Mr. John Morley's) words were—

"What is submitted to the House is a proposal by which the whole body of charges made by *The Times* newspaper against the Irish Members shall be submitted to a judgment of a Committee of this House."

MR. W. E. GLADSTONE: Read on.

MR. J. P. B. ROBERTSON said, he should exercise his own discretion as to what he read. The only way to give fair play in this investigation was to allow the Judges to exercise judicial discretion as to what the sum and substance placed before them was. It was not, as the hon. and learned Member below the Gangway proposed, that they should make a selection.

MR. MOLLOY: I never said anything of the sort.

MR. J. P. B. ROBERTSON, thought there was every necessity that the Judges should have merely the duty of ascertaining what the charges and allegations were, instead of being permitted in the most invidious way to say, "We shall investigate one thing and not another."

MR. W. E. GLADSTONE said, he certainly thought there never was a case in which he would have been more justified in interposing in the course of a speech if the hon. and learned Gentleman had extended to him the usual courtesy. The hon. and learned Gentleman quoted a speech of the right hon. Gentleman the Member for Newcastle (Mr. John Morley) to show that the right hon. Gentleman was speaking his (Mr. Gladstone's) sentiments. The hon. and learned Gentleman, having fastened upon him those sentiments, denied to him the opportunity of giving any authoritative exposition of his meaning. That was the hon. and learned Gentleman's legal manner.

MR. J. P. B. ROBERTSON said, that he read the words of the right hon. Gentleman the Member for Newcastle, and he added, on the authority of that right hon. Gentleman, that those sentiments were adopted by the right hon. Gentleman (Mr. W. E. Gladstone). He did not give way, because he desired to complete his proposition without interruption, and he was pretty sure the right hon. Gentleman would find an early opportunity of reply.

MR. W. E. GLADSTONE said, that what he took exception to was the hon. and learned Gentleman's attempt to fix the words upon him (Mr. W. E. Gladstone) as if they were his own. The hon. and learned Gentleman said—"Oh, yes, the right hon. Gentleman may have his opinion about them." Why, certainly he had. He was entitled to have his opinion of his own language. Unquestionably they never meant to exclude any charge against the Irish Members. But by charge they meant a distinct charge. [*Cries of* "Specific!"] He had not the report of his right hon. Friend's speech by him; perhaps it would be advantageous if the right hon. Gentleman would allow him to look at the report. [MR. MATTHEWS handed across the Table the volume of *Hansard* containing the report of Mr. John Morley's speech.] The hon. and learned Gentleman had objected to the figures of rhetoric of the right hon. Member for Derby. Modes of quotation might likewise be open to very great objection. Now, they heard the quotation of the hon. and learned Gentleman. Was it a fair quotation?

MR. J. P. B. ROBERTSON: I read it not once but twice, and I read the sentence textually.

MR. W. E. GLADSTONE said, that the hon. and learned Gentleman did not read what he was going to read. The hon. and learned Gentleman read a certain sentence, and then left it to be inferred that everything that could be alleged was included under the name "charges." He would read what the hon. and learned Gentleman deliberately omitted to read—

> "My hon. Friend the Member for East Mayo (Mr. Dillon) expressed his willingness, and that of his Friends, to extend the Reference mentioned in the Amendment of the right hon. Member for Mid Lothian, so as to include not only the charge made against the hon. Member, but also the subject of the letter imputed to the hon. Member for Cork (Mr. Parnell), and any other specific and definite charges which can be extracted from the articles called *Parnellism and Crime*."

It would be necessary for them on the present occasion and on future occasions to watch the hon. and learned Gentleman in the matter of quotations. Now, the hon. and learned Gentleman said that the object of this Amendment was to place upon the Judges the duty of making a selection of the charges. It was nothing of the sort. It was intended to secure to them a discretion to repel irrelevant, insignificant, and improper matter. Would the Government give them some other words that would do that? Were the Commissioners to have that power or not? Were the Judges to have the power of refusing what was irrelevant, what was trivial, what was malicious, and what was calumnious from the sources from which

these charges proceeded? If the Government gave them that power under the Bill, where was it? The Commissioners were to inquire into the charges and allegations; that was to say, the whole charges and allegations contained in a speech lasting 12 or 15 hours, and contained in a pamphlet of he knew not how many scores of pages. Were the Judges to be compelled, at the option of one of the parties appearing before them, to go through the whole of the matter; or were they to have the discretion of repelling and refusing that which was malicious, that which was irrelevant, that which was trivial? He thought the Committee were entitled to an answer to that question. Where the Commissioners to have that power or not?

MR. GOSCHEN: We do not want to interrupt the right hon. Gentleman in the middle of his speech.

MR. W. E. GLADSTONE begged the right hon. Gentleman's pardon, but he was bound to say that the right hon. Gentleman was certainly good at interruption. When the right hon. Gentleman frequently asked "aye" or "nay" in the middle of a speech, he was not entitled to take the exception he had now taken. Was he to understand that they would be told by-and-bye whether the Judges were to have this power or not? If so, he would wait until they had it explained. If the Judges were to have the power, then why not express it in the Bill? It was not expressed in the Bill, but it was substantially excluded from the terms of the Bill. In the Bill the whole of the charges, the whole of the allegations in this voluminous document, were included, as far as the literal and grammatical sense of the words was concerned. They wished to know, and he thought they had every right to know under these circumstances, whether there was to be this power of rejecting matter such as he had described, and if there was to be this power, why was it not to be stated; why was it not to be specified in the Bill? He would not answer the Solicitor General for Scotland any further. The hon. and learned Gentleman complained of a want of a sequence in the proceedings of the Opposition. By the suppression of essential matter it would not be difficult to show a want of sequence in the proceedings of anybody. That disposed of the argument of the want of sequence.

MR. FINLAY (Inverness, &c.) said, he thought that what the right hon. Gentleman had stated by way of an attack upon the Solicitor General for Scotland was really based upon a misconception of the point raised by the hon. and learned Gentleman. The point was that it had been proposed by the right hon. Gentleman the Member for Newcastle (Mr. John Morley), just on the eve of the Division last year, that the whole body of the charges should go to a Select Committee. It was not proposed that the Select Committee should have power to pick and choose, but it was proposed that every specific charge which was in these articles, or could be extracted from them, should be dealt with by the Select Committee. In the name of common sense, how did that in any way modify or qualify the argument the Solicitor General for Scotland based the sentence he read? He apprehended that the context for this purpose, which had been read as if it reflected some discredit upon the Solicitor General for Scotland, was absolutely and utterly irrelevant. The question was whether the whole body of the charges was to go to the Select Committee, and for that purpose what did it matter to read another sentence saying that the charges were to be specific. It might have been relevant to the Amendment they had discussed some time ago; but for the present purpose he apprehended it had no bearing upon what the Solicitor General for Scotland had said. Now, he desired to say one or two words upon the general question. It was asked, with very considerable force and vehemence, by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) whether the Judges were to have the power to exclude inquiry into matters which were trivial and irrelevant. He apprehended it was clear beyond all possibility of doubt that the Commissioners had that power. What was referred to them was every charge and allegation made against Members of Parliament and other persons in the course of these proceedings. That meant, beyond all doubt, every charge and allegation which was in substance in the proceedings. If a charge or allegation was frivolous, or irrelevant, or trivial, it came to nothing. The right hon. Gentleman the Member for Sheffield (Mr. Mundella), interposing during the

speech of the right hon. Gentleman the Member for Mid Lothian, cried "calumnious." Of course, if the charges were true, they were not calumnious, and what the Commissioners were to do was to inquire into the truth of them. He apprehended that the right hon. Gentleman (Mr. Mundella) had been playing with a word, the full import of which he did not quite appreciate. If the allegations were frivolous or trivial, they really came to nothing. The Commissioners who were entrusted with this inquiry were to deal with the whole matter—that was to say, with every charge and allegation contained in these proceedings which had any substance in it. This Amendment was wholly unnecessary, and therefore he hoped the Government would not be willing to accept it.

MR. W. E. GLADSTONE said, the hon. and learned Member (Mr. Finlay) had played his accustomed part, which was to step in on occasions of difficulty to the assistance of the Government. The hon. and learned Gentleman often endeavoured to find a means of getting out of a difficulty when the Government could not find it themselves. He was surprised, however, that the hon. and learned Gentleman had done this on the present occasion. The hon. and learned Gentleman told them that the words, "definite and specific" were irrelevant to the statement of the Solicitor General for Scotland. As a matter of fact, they formed the substance of the whole thing. The Opposition were willing to refer everything that was definite to the Select Committee—they were willing to refer to the Judges everything which was definite and specific, but it was the Government and the patrons of the Government who were shirking the real issue and insisting on referring to the Judges what was neither definite nor specific. The Government were now insisting upon forcing upon the Judges the consideration of matters whether they desired it or not.

MR. GOSCHEN said, the right hon. Gentleman was certainly discussing this question in a very judicial spirit. The right hon. Gentleman seemed to object to a lawyer of eminence, such as the hon. and learned Gentleman the Member for Inverness (Mr. Finlay), intervening in the debate and explaining to him that which apparently he was ignorant of, or not informed upon by the right hon. Gentleman the Member for Derby (Sir William Harcourt)—namely, that the powers which he asked the Government to put in the Bill were inherent in the Commission.

MR. W. E. GLADSTONE: What is your objection?

MR. GOSCHEN said, the objection was that when they specified something that was inherent in a body there was supposed to be some object beyond that. It could not be otherwise. If an Amendment of this kind were adopted, the Judges, knowing perfectly well that they had the inherent power of refusing to inquire into irrelevant or trivial topics, would look for some special direction from the House. He could quite understand that there were hon. Members who wished that there should be some special directions given to the Commission that certain matters should not be inquired into. But why did the right hon. Gentleman press for the insertion of words of this kind in the Bill if the powers were inherent in the Commission? One would have thought that some of those who had advised the right hon. Gentleman would have found a precedent in other Commissions for directing Commissioners to inquire into such portions of the question as they thought fit. But the right hon. Gentleman thought that the Judges would inquire into irrelevant and trivial matter.

MR. W. E. GLADSTONE: Not only irrelevant and trivial. Those are part of the epithets I used. Let the right hon. Gentleman quote me accurately.

MR. GOSCHEN said, he was quoting the right hon. Gentleman far more accurately than the right hon. Gentleman the Member for Derby quoted the First Lord of the Treasury in a previous portion of the debate; but after what had been said in that respect he thought the least said the better. He had quoted the right hon. Gentleman accurately. The right hon. Gentleman did not dispute what he had said. [MR. W. E. GLADSTONE: Quote the rest.] The right hon. Gentleman wished him to quote the whole. It was rather difficult to quote the whole of the right hon. Gentleman's speech.

MR. W. E. GLADSTONE: Quote the epithets.

[*Second Night.*]

MR. GOSCHEN said, he would quote another epithet, and that was the epithet of calumnious— —

MR. W. E. GLADSTONE: No; malicious.

MR. GOSCHEN asked if the right hon. Gentleman meant to say that before they heard the evidence, and before they inquired, the Commissioners were to decide which of the charges were malicious or not? Without any inquiry at all, without having called witnesses, or without having heard counsel, the Commissioners were to refuse certain charges because they thought they were malicious. Such were the grounds on which the right hon. Gentleman suggested that the words of the Amendment should be inserted. He thought the very fact that the right hon. Gentleman had used all these epithets went to prove that the Amendment was not only quite unnecessary, but would be mischievous.

MR. MOLLOY said, that the incidents which had just occurred had somewhat obscured the real objects of the Amendment, and even the very words of the Amendment. The Solicitor General for Scotland, in a somewhat excited manner, said he (Mr. Molloy) had asked for the passing of this Amendment in order that the Judges might select only such charges as they thought proper, and leave out others. A more monstrous interpretation of plain English it was impossible to conceive.

MR. J. P. B. ROBERTSON: Perhaps I may be allowed to say I made no reference whatever to anything the hon. and learned Member said. I referred to his Amendment.

MR. MOLLOY said, that the hon. and learned Gentleman spoke of a Member below the Gangway who had spoken, and as he (Mr. Molloy) was the only Member below the Gangway who had spoken he took it the hon. and learned Gentleman referred to him. Whatever the Committee might think, he wished now to bring the Committee back to the Amendment. It was distinctly stated yesterday by the Government that it was not their intention that irrelevant matter should be gone into. The Home Secretary, not being certain of his facts, said that, according to his opinion, there was a discretion on the part of the Commission to refuse to go into irrelevant matters. The Amendment he (Mr. Molloy) now proposed was for the purpose of making that clear. In moving the Amendment he said he had taken legal opinion on the subject, and that there was a considerable number of those he consulted who said that the discretion was not within the four corners of the Bill. He said distinctly that the only object of the Amendment was that irrelevant matters should not be forced on the Judges against their own discretion. He made no allusion to the Commissioners picking out or selecting any specific charge. On the contrary, in his opinion every allegation made ought to be gone into fully, and the deeper it was gone into the more he would be pleased with the Commission. He also said in the course of his remarks that if the words he suggested were too large, if they were not satisfactory to the Government, any words they might suggest which would carry out their explanation and opinion of yesterday were words he would accept. When the Home Secretary rose yesterday, having been in consultation with the First Lord of the Treasury, it was evident that there was an inclination on the part of the Government to accept the Amendment. Since the Amendment had been placed on the Paper it had been criticized as one giving power to the Judges to select the charges. He would only further say that the Government declared that they wished the Commission to have power to discard irrelevant matter. If the words he had proposed did not carry out their object, he was prepared to accept any words which might be put in which would carry out what they had said not only once, but twice and thrice.

MR. ASHER (Elgin and Nairn) said, he rose for the purpose of addressing to the Committee a very few words. He did so chiefly in consequence of what fell from his hon. and learned Friend the Member for Inverness (Mr. Finlay). He understood his hon. and learned Friend to say that it appeared to him to be quite beyond question that the introduction of the words now proposed could not affect to any extent whatever, the powers of the Commissioners. As he (Mr. Asher) was accumtomed to deal with the interpretation of Acts of Parliament, and as he entertained very serious doubt whether the opinion expressed by his

hon. and learned Friend was correct, he thought he should not be doing his duty if he did not give his opinion to the House for what it was worth. The statement of his hon. and learned Friend was of great importance because he understood from the Chancellor of the Exchequer that the Government, in refusing to adopt this Amendment, were virtually proceeding on the assumption that no guidance would be given to the Commissioners by the introduction of these words. His hon. and learned Friend the Solicitor General for Scotland (Mr. J. P. B. Robertson) seemed to think that the Amendment they were now considering had no logical connection with the series of Amendments which had been previously proposed. With all deference to his hon. and learned Friend's opinion, he maintained that the Amendment now under discussion was perfectly consistent with all the preceding Amendments which the Opposition had supported. Their endeavour had been to get the words of the clause "charges and allegations" combined with certain other words which would make their meaning clear and distinct. They had, up to the present time, been altogether unsuccessful in effecting any such change. If they had succeeded in limiting the clause to "charges," he thought that such a Commission as was to be constituted by the Bill could then have decided without any discretionary power what were the subjects to be investigated and what were the subjects to be excluded, because the very able men who would constitute the Commission would, he could not doubt, have interpreted the word "charges" to mean charges of crime or complicity with crime on the part of the persons against whom they were directed, and they would have had no difficulty in making up their minds what were the portions of the articles in *The Times* which could be placed in that category. The Government, however, had insisted on retaining in the clause the words "charges and allegations." When they came to the term "allegations" they came to a term which a lawyer was no more qualified to interpret than a layman, because the word "allegation" was not a legal term; it did not belong to any branch of law he was acquainted with. Besides, what were the allegations contained in? In a speech he did not know of how many days, a speech in which the Attorney General, in the discharge, no doubt, of his duty, had from the beginning to the end of it made charges and allegations. The hon. and learned Gentleman certainly did not neglect his duty in that respect, because he believed for a series of days the hon. and learned Gentleman continued to make charges and allegations against the hon. Member for Cork (Mr. Parnell) and an indefinite number of persons. The Attorney General's speech consisted of charges and allegations from beginning to end. As the clause now stood the Commission would have to inquire into and report upon every charge and allegation. Every lawyer would know that the words of the clause meant all charges and all allegations. How were the Judges to know where they were to draw the line? If they appointed a Commission with the duty of investigating and reporting upon such charges as they thought fit, the Commissioners would know where they stood; but when they were told not to stop there, but extend their investigation into everything in the nature of allegation, not only with regard to Members of that House but other persons, it seemed to him a difficult thing to say that it was so clear as was supposed by the hon. and learned Member for Inverness that the functions of the Commission would not be affected by the introduction of the words proposed. If the Government could see their way to inserting these words, they would be depositing in the Commissioners a discretion as to the charges and allegations to be investigated. If they received their Commission in the terms of the clause as it at present stood he thought they would be bound to investigate all the charges and allegations contained in the lengthy speech of the hon. and learned Attorney General, but if the words of the hon. and learned Member were introduced they would know that only such charges as they thought fit would legitimately form the subject of investigation at their hands. The work of the Commissioners, if these words were inserted, would be quite plain; but if they were resisted by the Government and the Bill were passed as it now stood, with a direction to the Commissioners to investigate all charges and allegations in the hon. and learned Gentleman's

speech, it might be that the Commissioners would exercise a discretion, and refuse to investigate such charges as they thought unworthy of investigation; but he thought it would be open to doubt whether in doing so they would not be straining their powers. He asked the Government if they seriously intended that the Commissioners should have power of reading over the whole of the Attorney General's speech, critically examining all charges and allegations contained in it, and making up their minds which of those were worthy of investigation and which were not, why they did not expressly state that in the Bill and make it perfectly clear? They had heard a good deal said in the course of the discussion about wasting the time of the Committee. He supposed there was no candid Member of the Committee who would not admit that some things had been repeated, and that the discussion might have been confined within shorter limits without prejudice to anybody; but he was bound to say that there was no waste of time in the discussion of the Bill in Committee which was comparable to the waste of time which had been brought about by the Government refusing to insert words giving expressly that discretion to the Commissioners which they said it was their desire they should have. It had been the custom of all Governments, where an honest doubt was entertained in any quarter of the House whether express words were not necessary to embody the view of the Committee, to consent to the insertion of such words where everyone agreed they could do no harm. Why had the Government deviated from that practice; why had they refused to insert words which would have no other effect than giving the Commissioners appointed under this Bill the power of saying what should be inquired into and what should not, which the Government said they intended they should have? He sincerely hoped that Her Majesty's Government would not refuse consent to this very reasonable Amendment, but that they would put in at least this limitation that the three Judges should have this power. The Commissioners were able and experienced men, and they should have clearly before them on the face of the Bill that they had the power of selecting and determining what were the charges and allegations which in their opinion ought to form the subject of inquiry.

MR. STAVELEY HILL (Staffordshire, Kingswinford) said, there seemed to him to be a great amount of reason in the Amendment proposed by the hon. and learned Member opposite. He could not but think that as the clause stood at present the person most put upon his trial would be the hon. and learned Attorney General. The case that would have to go to trial would be founded upon the speech of the hon. and learned Attorney General; the question before the Commissioners would be as to whether the charges and allegations made in that speech were true and well founded. He had felt during the whole of this Debate how unfortunate it was that the hon. and learned Attorney General should have been retained at all in a political trial, and that he should have allowed himself to be retained in a case in which his proper clients, the Government, were not parties. It was most unfortunate that it was not so, and he felt it would have been much better to have left the case to the right hon. and learned Gentleman the Member for Bury (Sir Henry James), about whose power and capacity to be counsel in that case there could be no doubt whatever. But the hon. and learned Attorney General having made his speech, the question was, could the charges and allegations made in that speech he substantiated? And when the Commission came to inquire, it would be as to the extent to which those charges and allegations should be substantiated. It would be better at any rate, if those charges were not to be defined in some way, to leave to the Commissioners full power to say which of the charges and allegations they would entertain and which they would reject. Now, if the definite article had been left out, the Amendment of the hon. and learned Member opposite might have been unnecessary; but the "the" was there, and they would, unless the Amendment were accepted, have to inquire into the truth and substance or otherwise of all the charges and allegations contained in the hon. and learned Attorney General's speech. If the right hon. Gentleman the Home Secretary was correct, and if the Commissioners were to have full power to

say what they would entertain and what they would not entertain, why should the Government object to this Amendment? The Amendment carried out the speech of the right hon. Gentleman the Home Secretary, who had told them over and over again, and on one occasion particularly, when he himself went into the Lobby to vote with him, that the Commissioners would not entertain any charges which they themselves did not think to be sufficient. If that were so, either these words were unnecessary —and he did not understand the Government to say they were—or else they ought to be put into the Bill. It was with this view that he earnestly entreated the Government not to throw away their position in reference to the Bill, and that, having up to the present carried their own views so far, they would allow themselves to be supported by those who wished to see this Bill a reality. He strongly urged upon the Government to admit this Amendment.

MR. SEXTON said, the hon. and learned Gentleman had just made an appeal to the Committee on the ground that the Amendment was one which called for immediate attention. He did not think the Government were depending on the common sense of their Supporters as the hon. and learned Gentleman thought they ought to depend. The hon. and learned Gentleman had delivered a sensible and straightforward speech. He (Mr. Sexton) had sat with him for years in that House, and he had never known him to act otherwise in any affair than as became a man of upright character and disposition. He explained the hon. and learned Gentleman's position by the assumption that his character had qualified him to appraise and understand the nature of the scandalous blot on this Bill. He did not know whether the hon. and learned Gentleman was present when the right hon. Gentleman the First Lord of the Treasury, when exposed to the most severe and searching examination to which a Minister of the Crown had ever been subjected in debate, avowed the existence of communications between himself and Mr. Walter, although he had not confessed their nature. The Bill was the offspring of Mr. Walter's two legal advisers and the hon. and learned Attorney General, who was the political adviser of the right hon. Gentleman the First Lord. He (Mr. Sexton) could say in a few words that, from the point of view of hon. Members from Ireland, the refusal of the Amendment made it clear that this was a Bill introduced by Mr. Walter and promoted by the Government as his servants and agents. The language of the clause without the Amendment was absolutely unmistakable. The Commissioners were directed to inquire into allegations and charges made by Mr. Walter in the case of the recent trial of "O'Donnell *v.* Walter." As the clause at present stood, if Mr. Walter brought to the notice of the Commissioners any one charge or allegation in the whole course of the speech of the hon. and learned Attorney General, the Commissioners would have no option but would at once be compelled to investigate it. Irish Members had been charged with insulting one of Her Majesty's Judges, because, in the discharge of their public duty, some of them had suggested the reason why they thought him unfit, on account of his conduct and language on previous occasions, to conduct this inquiry. But what was the insult levelled by any Member of that House at Mr. Justice Day compared with the insult levelled by Her Majesty's Government against the three learned Judges in declaring that they absolutely refused to allow them any discretion in this matter. The Government threw down before the Commissioners this formidable and momentous speech of the hon. and learned Attorney General, and said—"Inquire into every allegation and charge and innuendo;" they refused to give them any discretion whatever. The Bill was Mr. Walter's Bill; it was more a private than a public measure. Hon. Members were invited to walk into Mr. Walter's parlour. Mr. Walter, in his paper, had inserted infamous and shameful charges against Irish Members, and the Government were so considerate as to say that they would not grant a Select Committee of that House to inquire into those charges, lest the Committee might be prejudiced against Irish Members; but now they had appointed a Commission of Judges over which they had placed Mr. Walter.

COLONEL NOLAN (Galway, N.) said, he rose to comment on the extraordinary conduct of the Government in not advancing a single argument against this

Amendment. The Government had lately been in the habit of putting up the hon. and learned Gentleman the Solicitor General for Scotland (Mr. J. P. B. Robertson) to speak for them on law points, and the opinion of the hon. and learned Gentleman carried with it additional weight, because he represented another Party in that House. The Committee had had a speech from an hon. and learned Gentleman who had for a long time sat in that House, and whose speech had been listened to with the closest attention. The hon. and learned Member for the Kingswinford Division of Staffordshire had told the Committee that unless these words were put into the Bill, the Commissioners might consider themselves obliged to go into the charges and allegations contained in the speech of the hon. and learned Attorney General. He remembered the late Mr. Butt saying in that House that there was nothing more discrediting to a Government than to refuse to reply to the speeches of the Opposition; but here was a Government who refused to reply, not only to the arguments of a legal Member of the late Ministry, but also to the arguments of one of the very best lawyers who sat behind them. He believed the Government had made up their minds to admit no Amendment into the Bill, because they believed that if they passed the Bill as it stood there would be no Report stage. That was one reason, he said, why the Government would not accept the Amendment. The other reason was that they acted simply from a Party spirit. They considered that their existence in Office was of so much importance to the nation that they would sooner pass a measure of this kind through the House to deprive a certain number of the subjects of the Queen of their right of a fair trial than they would agree to an Amendment by which the position of their Party might be endangered. One of these reasons must influence the Government in the course they were now adopting, and that would be felt by all unless one of the Law Officers of the Crown rose to reply to the speech of the hon. and learned Member for Staffordshire or that of the late Solicitor General for Scotland.

MR. P. STANHOPE (Wednesbury) said, as a Member for Staffordshire he wished to thank the hon. Member for the Kingswinford Division for his honest and sincere speech in support of the Amendment. He was glad to see that there were occasionally expressions of conscientious feeling on the opposite Benches. It was of great importance to Members on those Benches that hon. Gentlemen opposite should be encouraged occasionally to follow the dictates of their own consciences, and speak their minds freely to the House. The Committee were informed by the Government that the acceptance of this Amendment would endanger the success of the Commission. He would like to know why the acceptance of this Amendment should involve such a result? He supposed the truth to be that the Government were afraid to accept the Amendment without consulting their friend, Mr. Walter, and he was not at all sure that it would not be desirable to move an Instruction to the Committee that Mr. Walter should be kept permanently on the premises in order that those unfortunate Ministers who had no mind and no conscience of their own in this matter, should be able to appeal to their associate and friend with reference to these unfortunate transactions. Mr. Walter, no doubt, would be able to make certain slight concessions which, to an extent, would appease the sentiments of Liberal Unionists. Nothing was so regrettable as to see on those Benches men who, he was sorry to say, claimed the name of Liberal, but who remained silently in their places, and would not raise their voice or give their vote or make the slightest effort to obtain for their Colleagues a fair trial. He thought it was a matter of perfect indifference to the ordinary Liberal Unionists whether their Colleagues received a fair trial or not, so long as they avoided a General Election and kept their seats in that House. He would ask a question of the noble Lord opposite who seemed so disturbed, and who was the son of the prime malefactor.

THE CHAIRMAN said, he appealed to the hon. Gentleman to address himself a little more to the terms of the Amendment.

MR. P. STANHOPE said, he would follow the ruling of the Chairman with great satisfaction, and confine himself to the terms of the Amendment; if he had been temporarily led somewhat far

afield, it was in order to denounce the conduct of hon. Members who could not support an Amendment even of this rational scope and moderate language, which Amendment, he was proud to say, had the support of the highly representative Member for the Kingswinford Division. He was glad that an Amendment of this character had been supported, or, at all events, approved, by an independent Member of the county which he had the honour to represent, and it was on that account that he rose to endorse the hon. and learned Gentleman's remarks.

MR. MUNDELLA (Sheffield, Brightside) said, he had waited to see whether any Member of Her Majesty's Government was about to rise to reply to the speeches which had been addressed to the Committee in support of the Amendment of the hon. and learned Member for Elgin and Nairn (Mr. Anderson). For the last three-quarters of an hour there had been a series of speeches on one side. There had been speeches made which demanded an answer. There was the speech of the hon. and learned Gentleman the Member for the Kingswinford Division of Staffordshire (Mr. Staveley Hill) and that of his hon. and learned Friend the late Solicitor General for Scotland (Mr. Asher), and if they had not been answered the reason was, in the opinion of hon. Gentlemen on that side, that they were unanswerable. It was quite true that the Government were free not to answer all the speeches of hon. Members below the Gangway; but when the hon. and learned Member for Kingswinford, who had the respect of all Members on both sides of the House, and who, during the 20 years in which he had sat in that House, had shown common sense and independence in all matters, made such a forcible speech as he had made on this Amendment, they, at least, thought they knew why Her Majesty's Government did not reply. The hon. and learned Member for Inverness (Mr. Finlay), who sat so properly behind that Bench, from which position he so well used his opportunity of striking from behind, and for which he would one day have to answer to his constituents, had taunted him with using the word "calumnious" with reference to these charges and allegations. He (Mr. Mundella) affirmed that he had used that word rightly, and he would tell the Committee directly why he had used it. The right hon. Gentleman the Chancellor of the Exchequer had also reproached the right hon. Gentleman the Member for Mid Lothian with using the word "malicious." But were his right hon. Friend and himself to defend words that they believed to be calumnious and malicious? What they asked for at the hands of the Government was that the Commission should be allowed to eliminate all the filth that had been thrown upon Irish Members, that which was calumnious and malicious, and which ought not to be gone into. [*Laughter.*] The right hon. Gentleman the Home Secretary laughed; but he was not sure that if all these questions were inquired into, there were not questions relating to the right hon. Gentleman himself which were very important and might be as much the subject of inquiry as the allegations made in the speech of the hon. and learned Attorney General. The hon. and learned Attorney General had delivered himself of a speech which covered 144 closely printed pages. [An hon. MEMBER: The whole trial.] It did not matter if he was wrong to a few pages more or less; it would be admitted that there were enough of them. It was very difficult to say who were included in his allegations and who were excluded from them. Here was what he considered a specimen of the allegations which he made, and which would have to be dealt with. On page 112 he said—

"It is worth noting, by the way, how many of the worst of these puppets owe their freedom of action to Mr. Gladstone. O'Donovan Rossa, the open-mouthed advocate of arson and murder and the organizer of dynamite outrages, was sentenced in 1865 to penal servitude for life. In 1870 he was released by Mr. Gladstone's Government together with other 25 Fenian conspirators. Devoy and Luby were among the number who were sentenced to well-merited punishment and were released by Mr. Gladstone, and subsequently devoted themselves with redoubled energy to the traitorous work which their imprisonment interrupted. Other prominent ruffians like Sheridan and Egan would have been secured and rendered incapable of further mischief but for the culpable laxity of the Executive."

To whom did that allegation refer? It was an allegation against the ablest and oldest Member of that House. Were the Commissioners to have power to eliminate allegations such as this? He would like to ask the hon. and learned Gentleman the Member for Inverness,

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whether that was a malicious or calumnious allegation or not? He (Mr. Mundella) said it was, and that such allegations ought to be eliminated from the inquiry of the Commissioners. In conclusion, he repeated that the two speeches he had referred to remained unanswered by the Government because they were unanswerable.

MR. LABOUCHERE (Northampton) said, the Committee were in a very great difficulty. They were not all lawyers. They had had the opinions of two lawyers, the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) and the hon. and learned Gentleman the Member for the Kingswinford Division of Staffordshire (Mr. Staveley Hill), and those two opinions were entirely antagonistic. It seemed to be agreed on all sides that the Commissioners ought not to inquire into all the charges and allegations; and the question was whether these words without the Amendment would enable the Judges to inquire into some of the charges and not into others. The hon. and learned Gentleman the Member for the Kingswinford Division said that these words would not give the Judges the right to pick and choose; and that they would be obliged to inquire into all the charges and allegations. The Committee looked to the Government and to the hon. and learned Solicitor General, in the hope that he would say something to enlighten their ignorance and tell the Committee whether he held with the hon. and learned Member for Inverness or with the hon. and learned Member for Staffordshire. They were accustomed in that House to be treated with some amount of contumely; but when they found themselves supported by Gentlemen of the eminence of the hon. and learned Gentleman the Member for Staffordshire, then he thought it was an insult not only to Gentlemen on those Benches, but to the entire House, that the Government did not put up the hon. and learned Solicitor General to answer. His right hon. Friend the Member for the Brightside Division of Sheffield (Mr. Mundella) had pointed out that allegations had been made in the speech of the hon. and learned Attorney General against the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), and there were many hon. Gentlemen on those Benches who thought that some of those allegations told against the right hon. Gentleman the Home Secretary. Where was this inquiry to finish if the Judges were allowed to go into the whole of the allegations? The Government and hon. Gentlemen opposite perhaps thought that the debate on this Bill was going somewhat slowly. But whose fault was that? It was obviously the fault of the Government. The addition of these words could not do any harm; but the Government did not dare to alter a single word in the Bill without the permission of Mr. Walter. A little while ago they had had a discussion as to whether the right hon. Gentleman the First Lord of the Treasury had been in communication with Mr. Walter. They now knew that Mr. Walter had called upon the right hon. Gentleman on the very day on which he came down in the evening and said that he would grant this Commission.

MR. W. H. SMITH: That is not true. [*Cries of* "Withdraw!" *and* "Name!"]

THE CHAIRMAN: The right hon. Gentleman says, "That is not true." Does the right hon. Gentleman mean that the statement is not accurate?

MR. W. H. SMITH: I do.

MR. LABOUCHERE said, the right hon. Gentleman was so very excited that the Committee, he (Mr. Labouchere) thought, might allow something to him. He supposed the right hon. Gentleman meant that he apologized. He accepted his apology. As he understood it, the right hon. Gentleman the Leader of the House had admitted that evening that Mr. Walter had called upon him.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, the hon. Gentleman was assuming that Mr. Walter called upon his right hon. Friend previous to the Bill being framed. His right hon. Friend had stated distinctly that Mr. Walter called upon him after the Bill was in print.

MR. LABOUCHERE said, it was very convenient for the right hon. Gentleman the First Lord of the Treasury to put up his right hon. Friend to answer for him; but let him answer for himself this specific question—"Did Mr. Walter call upon him on the day he came down to this House and announced that he would grant this Commission?

MR. W. H. SMITH: I have stated to the House everything that has occurred. I decline to be catechized by the hon. Member.

MR. LABOUCHERE said, he defied the right hon. Gentleman to answer that specific question; and if the right hon. Gentleman did not specifically deny the statement, he thought every hon. Member of the House would think, whatever he might have said on Thursday, that he could not do so. [*Cries of* "No!"] He congratulated hon. Gentlemen opposite on their credulity. He did not wish to dwell too much on this subject; it was a painful thing to be obliged to consider the position in which the right hon. Gentleman was placed; but he would go back to the fact that the hon. and learned Solicitor General had been requested by Members on that side of the House and on the opposite side—["No, no!"]—to throw some legal light on the subject before the Committee, and explain why there was any objection to put into the Bill the words of the Amendment.

MR. T. M. HEALY (Longford, N.) said, he thought, after the speech of the right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella), who had referred to a remarkable passage in the speech of the hon. and learned Attorney General relating to the right hon. Gentleman the Member for Mid Lothian, that he (Mr. T. M. Healy) had not before seen or heard of, that the time had arrived when hon. Members should be provided with a copy of this pamphlet, for the distribution of which the right hon. Gentleman the First Lord of the Treasury had unusual facilities. How many hon. Gentlemen opposite could lift up their hands and say they had read *Parnellism and Crime?* It turned out that not a single Gentleman opposite had read it, and he believed the only Member of the House who had done so was the right hon. Gentleman the Member for the Brightside Division of Sheffield. It was most unreasonable that while the Government refused in any way to guide the Commissioners in their course of action, the entire policy of the late Administration from 1868 to 1874 might possibly be inquired into under the Bill. It might be that the Government were very anxious in this matter with regard to the relations of the right hon. Gentleman the Home Secretary with some of the Fenian prisoners. They could show that certain gentlemen were brought to Dungarvan who presented revolvers at the heads of certain of the electorate, and that £1,000 was paid by the right hon. Gentleman the Home Secretary.

THE CHAIRMAN said, it was very much out of Order to travel into questions irrelevant to the Amendment before the Committee. It was impossible that the conduct of the debate could be properly maintained unless the Chair was assisted by hon. Members on both sides of the House. The hon. and learned Member must be aware that he was now entering upon matter which was foreign to the present Amendment.

MR. T. M. HEALY said, he bowed to the Chairman's ruling, but seeing that he had not read *Parnellism and Crime* he could not see what was relevant to the discussion and what was not. He did not know whether the Chairman had read it himself.

THE CHAIRMAN: The Amendment before the Committee is whether after the word "allegations," the words "or such of them as the Commissioners should think fit" should be inserted.

MR. T. M. HEALY said, he must say, for his own part, what the Irish Members required was, to know how many charges were made against them, that the House might at least be put in the position of seeing whether every wild and idle charge that any man liked to originate and supply to *The Times* was to be made the subject of solemn investigation. He had been much struck by the observations of the hon. and learned Member for the Kingswinford Division of Staffordshire (Mr. Staveley Hill) and was surprised that the Government had not given him a reply. The course the Government were taking had not received the support of their own Followers behind them, and he would remind the Committee of this, that to-night the noble Lord the Member for Rossendale (the Marquess of Hartington) had laid down a remarkable doctrine which had not been accepted by the Government, for he had said that it would not be necessary for the hon. Member for West Belfast (Mr. Sexton) or the hon. Member for Derry (Mr. Justin M'Carthy) to go into any

matter until *The Times* in the first instance had proved something. That showed that in the mind of the noble Lord something in the nature of a *primâ facie* case should in the first place be made out. What did the Irish Members ask here? Why, they asked that some definition at least should be given of the offences of which they were alleged to be guilty—that the Commissioners might, if they saw fit, exercise the discretion of defining what the charges were. The Government would not allow the Committee to define what the charges were, and now they tried to prevent the Commissioners from defining what they were. He conceived that the first business of these three prominent Judges, if this Bill passed, should be this, to read over *Parnellism and Crime* and the hon. and learned Attorney General's statement in the Law Courts—he presumed they would not send for Mr. John Walter, like the right hon. Gentleman the First Lord of the Treasury, but would leave him in his proper place—and then having read the statement of the hon. and learned Attorney General and the *Parnellism and Crime* pamphlet, they would say, "We conceive that certain rules must be adopted for the conduct of this inquiry, and we conceive that certain allegations, if proved, will constitute grievous and heinous offences!" In such an event the Judges would act as they did in connection with Election Petitions—that was to say, before entering into the inquiry they would make out the charge to go upon. He submitted that the hon. President of the Court, Sir James Hannen, would say this—"I conceive the charges made against hon. Gentlemen, Members of the House of Commons and others, are as follows, subject to what I may hear from Counsel." He would lay down, with the sanction of his Colleagues, that which was to be the subject matter to be gone into. Unless the Judges had power to do that, it would be quite impossible for them to conduct this inquiry satisfactorily. What would probably happen would be this. Somebody who had received instructions from Her Majesty's Government would go before the inquiry and say, "I am the representative of *The Times*; we have made the following charges and we repeat them now, and we ask you, the Judges, to call A, B, C, D, E, F, and G." Suppose someone wanted to insult the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone)—and he conceived there were plenty of Gentlemen opposite who from their conduct every day would be very glad to drag that right hon. Gentleman down to London to have him examined before the Commission as to whether he had not opened up negotiations for the release of O'Donovan Rossa as far back as 1869. Let them suppose that such a thing as this occurred. When they got the right hon. Gentleman the Member for Mid Lothian into the box, and this Gentleman representing *The Times* had examined him as to the reasons which guided him in releasing O'Donovan Rossa, that Gentleman might then put to him a whole series of questions as to his general views with regard to the Irish Members—as to what he believed was done in the time of Mr. Forster and Lord Spencer. Having given a *bonâ fide* reason for calling the right hon. Gentleman, the person who wished to insult him would then, if he chose to do so, diverge into all kinds of subjects. So to speak, they first hooked their salmon, and then being caught with a fly they brought him to land by the gaff, and it was to prevent this that he submitted there should be some protection for witnesses in the shape of a preliminary statement by the presiding Judge as to what he considered the object of the inquiry. It was well known that the majority of these men, against whom these charges and allegations were made, were poor men, and that they might be easily worn out by having to obtain counsel to defend them and by having to dance attendance from day to day before such a Court as this, unless there was some definition either by the President of the Court or in a schedule of what the charges were which were to be met. He maintained that unless the Government accepted this Amendment the Irish Members, and others against whom charges were brought, would be compelled to have counsel before the Court from day to day. Perhaps the Court would insist upon sitting in London instead of going to Dublin, and therefore he held that if this proposal were not accepted, enormous injustice would be done. Take the case of a poor man. It was supposed that because the Members of the Irish Party all worked together

in this House, therefore that the funds at the disposal of the Nationalist exchequer would be devoted to the defence of every individual of that Party. But supposing those who had control of the funds took the view that politically, so far as the Party was concerned, the character of a certain individual was unimportant, and should say to him—"We will not provide you with Counsel." What was this poor man to do? His character would be as dear to him as anybody else's would be to them, and he would have to be present in Court, dancing attendance upon it from day to day, not knowing what moment the Counsel for *The Times* might spring his charge upon him. He might wish to take a holiday whilst the Commission was sitting, and for a whole month whilst he was away he might not read a newspaper. His ears would be closed as to what would be going on in his absence, and he would not know when he would be wanted; whereas upon the day of the opening of the tribunal the President would say that so and so only was what was to be inquired into, the scope of the inquiry would be limited in a most Constitutional manner. No objection would then be taken by the Irish Members, as the inquiry would be limited to what was considered most important. However, it was probably useless to make this appeal to hon. and right hon. Gentlemen opposite, seeing that upon this question they were acting in a body. He believed that very few of them would individually support Her Majesty's Government in the view they took up and in acting unjustly towards Members on that (the Opposition) side of the House. It was only when acting under Party discipline and in the mass that they were unjust. He therefore appealed to them, whether it was not reasonable that the views of the hon. and learned Member for Staffordshire (Mr. Staveley Hill) should prevail, and that the President of the tribunal should be allowed to frame rules or to make a statement as to the grave and definite charges which were to be entered into against certain individuals?

SIR WILLIAM HARCOURT: I desire to ask a question of the hon. and learned Gentleman the Solicitor General (Sir Edward Clarke). Here is a grave allegation in the statement of the hon. and learned Attorney General. Of course, he considered it material, or he would not have made it. I do not know whether it is a charge or an allegation; but I want to know whether it is an allegation which the tribunal is to inquire into. The words are these—

"It is worth noting, by the way, how many of the worst of these puppets owe their freedom of action to Mr. Gladstone."

[*Laughter.*] Yes; that was a very fair test case—

"O'Donovan Rossa, the open-mouthed advocate of arson and murder and the organizer of dynamite outrages, was sentenced in 1865 to penal servitude for life. In 1870 he was released by Mr. Gladstone's Government, together with other 25 Fenian conspirators—Devoy and Curley were among the number who were sentenced to well-merited punishment, and were released by Mr. Gladstone and subsequently devoted themselves with redoubled energy to the traitorous work which their imprisonment interrupted."

I wish to ask whether, in the view of the hon. and learned Gentleman the Solicitor General, that is a charge or an allegation against my right hon. Friend of complicity in crime?

SIR EDWARD CLARKE: I must decline to interpret in any way any part of the articles which have been published. The words which have been read by the right hon. Gentleman are not the words of the hon. and learned Attorney General, but they are the words of an article which was read by him from *Parnellism and Crime*. The purpose of this Bill, and the purpose which has been assented to unanimously by this House on the second reading, is the purpose of sending to a tribunal consisting of Judges, wholly or mainly as the House has been informed, allegations which have been publicly made. The matter that the right hon. Gentleman has read is part of those allegations. ["Hear, hear!"] Hon. Members cheer that statement of an obvious fact as if it were some new discovery. The sentences the right hon. Gentleman opposite has read are part of an article published in *Parnellism and Crime*, and read by my hon. and learned Friend in the course of his speech, and if these articles are referred to before the tribunal the Judges will have to look at the articles, and see what in truth are the charges which those articles contain, and into such matters as they find in those articles they will inquire. But in order that the House might see that in the course of a number of articles of this

kind there are expressions used, whether by way of illustration or in adding historical circumstances to the questions with which they are particularly dealing, I will read a few sentences. That the Committee might see how this matter stands, let me just read the whole passage from which the right hon. Gentleman quoted the first sentences—

"Devoy and Luby were among the number who were sentenced to well-merited punishment and were released by Mr. Gladstone, and subsequently devoted themselves with redoubled energy to the traitorous work which their imprisonment interrupted. Other prominent ruffians, like Sheridan and Egan, would have been secured, and rendered incapable of further mischief, but for the culpable laxity of the Executive. It is painful to note that Ford, unmoved by these great services to his cause, refers to Mr. Gladstone as 'this venerable humbug,' and charges him with 'outdoing even Disraeli' in the merciless oppressiveness of his coercive legislation. The horrible doubt suggests itself whether even now the paymaster of the conspiracy cherishes any genuine respect for his illustrious recruit."

It is impossible for it to be suggested by the right hon. Gentleman (Sir William Harcourt), or by anyone who applies a reasonable amount of consideration to those articles, that the three Judges who constitute this tribunal will have anything to do either with the repute of the right hon. Gentleman the Member for Mid Lothian, as described by Mr. Ford, or with the repute of the late illustrious Leader of the Party to which I belong.

MR. W. E. GLADSTONE: One or two of my right hon. Friends, and I believe I myself, cheered the hon. and learned Gentleman, and he commented upon our cheers by describing them as a recognition of an obvious fact. He seems to think it a most extraordinary thing to think that a cheer should come from this side of the House in recognition of an obvious fact; but, from our point of view, the recognition of an obvious fact is an extremely rare occurrence with hon. Gentlemen opposite. We gave the hon. and learned Gentleman a cheer in gratitude for his recognition of an obvious fact. Let us look at the facts before us. The hon. and learned Gentleman has admitted that there are allegations contained in the pamphlet respecting myself, and I am bound to say that if the hon. and learned Gentleman would go a step further and say that it might be a very proper thing that those allegations should be investigated by the Judges, I am the last man to make an objection. It appears to me that these allegations are quite as good as a great number of others that have been made. They are distinct statements of condonation of crime, because, although the writer in *The Times* was so good and so courteous as to apply to me the epithet "illustrious," which I do not deserve, the writer distinctly charged me—I admit that there is here some mixture of the tragical and the ludicrous—with being a recruit to the doctrines and practices of Ford, who was, in this affair, in strict partnership with O'Donovan Rossa. I should be told, however, that this is not relevant to the matter in hand. Then, why did the hon. and learned Attorney General read it out? The hon. and learned Attorney General read out this passage as part proof of his case with respect to *Parnellism and Crime*. It was perfectly within the purview of the Bill; it was within the grammatical and literal meaning of the Bill, and I want to know, if am told that there is no likelihood of its being inquired into—and I do not care a pin whether it is or not—I want to know why did the hon. and learned Attorney General read it out. Why did he add to a speech that was already sufficiently prolonged to satisfy even the most voracious legal appetite for length of speech? The field of this question has been enlarged by the appearance of a new champion in the arena. My right hon. Friend the Member for Derby (Sir William Harcourt) objected, in an early part of the discussion, to the dealing with calumnious charges. I, myself, afterwards objected to the dealing with malicious charges. I presume that, in a case of this kind, where it is necessary to apply some sort of riddling and contracting process, that there are a number of charges in controversial writing which were plainly, and on the surface, on the threshold, fit to be set aside as being obviously devoid of reasonable ground. But what says the right hon. Gentleman the Chancellor of the Exchequer, who has come out to-night as an authoritative expounder of the meaning and object of this Bill? He says—

"I refuse to recognize any title of the Commissioners to set aside malicious charges, because you cannot tell until you have examined them whether they are malicious or not."

Everyone of these allegations, however devoid they may be of ground, however they may bear on the face of them evidence sufficient to satisfy every rational man that they are unworthy of attention, according to the right hon. Gentleman the Chancellor of the Exchequer the Government will not bar them, or exclude them, or give the Judges a discretion to exclude them, because, as he says, until they have made an examination they cannot know whether they are malicious or not. That is the defence made by the right hon. Gentleman the Chancellor of the Exchequer for this Bill. I thank the right hon. Gentleman for having cast some light on the subject, and for having shown the Committee what it is we are really discussing. There is one observation of the hon. and learned Member for North Longford (Mr. T. M. Healy) which seems to show that, owing to absence during the last 24 hours, he was not aware that it had been decided that although the murderer and the felon might be tried on a specific charge, that is to be reversed here, and the chosen Representatives of the people are not to be allowed the privilege of hearing the charges they are to meet. Now, the Committee has reached a different point. We are now asking—and we have totally failed to obtain any concession to our demand—that the Judges on whom this large discretion is to be conferred, might be permitted, if they thought fit, to set aside charges which were in their judgment totally unfit for examination. Grave legal authorities are ready here to state, and have stated this evening, that in their opinion the plain purport of this clause would compel the Judges, unless the Committee introduced some words of this kind, to go through all this frivolous matter. The hon. and learned Member for North Longford has well said—and I, for my part, adopt the sentiment—that there are few Gentlemen sitting opposite, if one were to argue a private matter face to face, who would for a moment hesitate to accept and recognize the reasonableness of the demand now made. But Her Majesty's Government appear to think that it is their business to force this Bill through the House, and we are virtually told by the hon. and learned Solicitor General that we are not at liberty to propose this Amendment because we have assented to the second reading of the Bill. I trust the Committee will look a little beyond the purpose immediately in view, and consider to what kind of principles of jurisprudence you are giving your sanction in the adoption of a scheme so novel and extraordinary as that now before us, and in refusing the admission of any mitigating phrase or safeguard or security whatever, although demanded by the joint voices of those who are inculpated perhaps, and have a special title to consideration, and also of no inconsiderable minority of the House of Commons.

The Committee *divided*:—Ayes 207; Noes 250: Majority 43.—(Div. List, No. 252.)

MR. R. T. REID said, that the next Amendment in his name was merely a verbal Amendment designed to follow an earlier proposal which had not been accepted.

MR. SEXTON said, he begged to move the next Amendment standing on the Paper in his name—namely, in lines 18 and 19, to leave out "certain Members of Parliament and other," in order to insert "the." This was connected with another Amendment standing later on the Paper, and if both Amendments were accepted the clause would read in this way—

"The Commissioners should inquire into and report upon the charges and allegations made against the persons whose name are set forth in the schedule hereto."

The Amendment, therefore, asked the Committee to insert in or append to the Bill a schedule of persons against whom the charges and allegations were intended to be made. He might look back for a moment and remind the Committee that the majority, which was not often a large majority, had refused to confine the Bill to "charges," and had decided to add to "charges" "allegations," no matter how vague and shadowy their character might be. It had also refused to give any definition of charges and allegations against any person whatever, and had even refused to allow the Commissioners, in praise of whose high character they spoke so emphatically, the least discretion as to the charges and allegations which were worth investigation and those which were not. Now, in the face of these refusals he asked the Committee to con-

sider for a moment if it was possible, in a spirit of equity at least, to agree, if these charges were not to be defined, and if the speech of the hon. and learned Attorney General was to be taken by the Commission, that the names of all persons charged, whether Members of Parliament or others, should be inserted in the Bill. Two classes of persons were pointed at in this affair. One class comprised Members of this House, and the other was composed of persons outside. Now, with regard to the persons outside the House he offered two reasons why their names should be scheduled in the Bill. Some of these persons lived in this country, some of them were born and bred beyond the sea, and some of them had their residence at the ends of the earth, and he thought it was but fair that those persons so situated should not be left to pick out the fact that they were incriminated from a pamphlet taken from *The Times* report of a trial or a debate in this House, but they should be solemnly notified by the statute of the condition in which they stood. He offered a second reason that these names should be scheduled in the Bill. Members of this House were accused of complicity with these "other persons"—indeed, it was only because of such alleged complicity that these other persons were inserted at all. A few days ago *The Times* in a leading article said it must be observed that the language of the Bill as to inquiry into the charges and allegations made against certain Members of Parliament "and," not or, "other persons"—"and this," said *The Times*, who ought to know, having been present at the drafting of the Bill—

> "Giving the words their strict legal as well as their natural and obvious meaning implies that the subject of investigation so far as other persons are concerned is their conduct in relation to Mr. Parnell and his colleagues. We can see in this nothing unreasonable."

That was the interpretation offered by *The Times*, and if that were a fair interpretation—and he spoke in the presence of the hon. and learned Gentleman, who was both Attorney General and the Counsel for *The Times*—he said that they made no objection. They made no objection to the inquiry into the guilt of other persons so far as that inquiry was made to bear on any allegation against a Member of this House. He took his stand on the interpretation of *The Times*, and claimed that Members of Parliament should be told within the pages of the Bill the names of the persons complicity with whom was charged against them. He asked the Committee individually to divert themselves of Party considerations, and each to consider for himself how any man could prepare his defence unless he was notified and warned of the names of the persons complicity with whom was charged against him. This Commission, under the Bill as at present framed, would not be able to act on any definite lines. It would not sit to inquire into the conduct of one man at a time. It would not open one charge and close it, but would proceed in a zigzag method, without order—it would take up one charge to-day and another to-morrow, and decide one charge in one case to-day, and defer to another day the decision in another charge. In this way, as had been pointed out, persons against whom charges were made would have to dance attendance on the Commission from day to day and from month to month and from year to year. He maintained that it was impossible for a defence to be carried on under such conditions, and that the inquiry would range over a period of at least nine years. It would cover proceedings in many countries, it would be conversant with the acts of some millions of people, and he put this to the Committee: whether it was not obvious that the defence of every Member of Parliament charged would be a most elaborate and costly affair? Therefore it was essential that those Members should have given to them the means of preparing themselves for the inquiry and for deciding what course they should adopt. Now he passed from "other persons" to Members of Parliament themselves, and he raised the question for the first time in these debates as to what Members of Parliament were impeached. Did they mean to impeach, first, the Members of Parliament who were members of the executive of the Land League—the Land League which passed out of existence seven years ago—which came into existence, grew up and flourished when the present Ministerial Party were in power, and which passed away under the shadow of an Act which put an end to liberty in Ireland. Was it meant to impeach those

Members of Parliament who were members of the National League which came into existence five years ago, and which had existed during the last year under the sway of a most drastic Act of Parliament, and which the Lord Lieutenant could suppress with a stroke of the pen at any moment he chose if he saw any reason for such a course? Was it intended to impeach the 10 Members who were spoken of together in one sentence in *Parnellism and Crime*—who were spoken of, not for the purpose of charging them with any legal offences which he was able to appreciate, but for having "trade and traffic" with certain persons, and who were grouped together, not in connection with any specific facts, but as a rhetorical phrase merely because in the opinion of *The Times* they were likely to form the first Home Rule Ministry in Ireland. He maintained that that observation, even if it stood alone, exposed the *animus* of the whole conspiracy against the Irish Members. These names were grouped together, not because of any crime or complicity in crime, and not because of any aspect of their conduct, but because they were supposed by *The Times*—a supposition which was accepted afterwards by the Government—to be the men who stood highest in the confidence of the Irish people. He (Mr. Sexton) was one of these 10 Members. At an earlier hour of the evening he referred exhaustively to matters of fact with which his name was connected, and he had, he thought, exposed the accusations brought against him to the ridicule, if not to the contempt, of the whole House; and he thought that if every one of the 10 Members referred to were to take the trouble he might easily do the same. However, he (Mr. Sexton) would confine himself to his own case. Well, he was one of these 10 Members grouped together in this way by *The Times*. Now, in the month of December, 1886, a Colleague of the hon. Gentleman sitting on the Front Bench opposite, the Tory Lord Lieutenant, appointed him to be High Sheriff of the City of Dublin, and he was High Sheriff of the City of Dublin when *Parnellism and Crime* appeared. During the months of March, April, May, and June, when, according to the statement of the hon. and learned Attorney General, upon evidence which that hon. and learned Gentleman thought satisfactory, he (Mr. Sexton) was in trade and traffic with dynamiters and criminals, he was the principal officer of the law in the capital of Ireland. The Lord Lieutenant could have dismissed him at any moment if he had seen good cause for taking that course, but the Lord Lieutenant did not see any such cause. The Government would not take a step that involved them in any accusations in this matter, but they were willing it should be taken by others with their complicity. They thought to make political capital out of the statements of others levelled at the Irish Members. A year had passed and he had continued in the performance of his functions, and the fact that he had never been interfered with was a conclusive proof that the Lord Lieutenant and the Government in their own minds and hearts—whatever they might choose to say in Parliament—spurned as ridiculous the charges made against him. He was at this moment a Visiting Justice of Her Majesty's prisons in Dublin. Probably Her Majesty's Government thought that at the present moment he ought to be in prison himself, but their Lord Lieutenant thought otherwise, and he would ask the Committee to consider the ridiculous contradiction between the action of the Government and that of their Viceroy in Ireland. If the Government desired a larger enumeration of Members than the 10 grouped together in the article to which he had referred, he would suggest it to them. If they would agree to insert in the list of Members against whom charges and allegations were made to be inserted in a schedule, he would inform them that the Home Rule Members would not object to 25 or 30 names being introduced—the Members who were mentioned in *Parnellism and Crime*. Not a voice would be raised against such a proposal. All the Irish Members on the Opposition side of the House but two—namely, the Members for South Derry and South Tyrone (Mr. Lea and Mr. T. W. Russell) were impeached by *The Times*, or an instrument of *The Times*, the hon. and learned Attorney General, and this he could prove in a few words. *Parnellism and Crime* stated that the Parnellites without limitation—and every man of their Party was proud to bear the title—every man of the 85 who sat there was charged directly by *The Times* with treasonable

designs upon the State, and that was something more than an allegation. Would the Government then consent to schedule in the Bill the names of every Irish Member on that side of the House except the two to whom he had referred? Furthermore, the Irish Home Rule Party without exception were charged with having belonged to two organizations, the Land League and the National League, which depended upon a system of intimidation carried out by terrible means resting ultimately on the sanction of murder. That was an infamous charge —it was a criminal charge, certainly, and one which Mr. Walter would compel the Government, his servants, to inquire into. Let them schedule in the Bill every man who was with audacity and inconceivable recklessness included in this charge — and there was this charge against the whole party, that they knew, or had reason to believe, that the Phœnix Park murder or some similar crime was intended to be attempted. That was an infamous lie, but it was also a charge, an infamous charge, and now that they had refused the last Amendment which would require the Commissioners to define the charges to be gone into, and now that other Amendments defining in the Bill the charges made had been refused, Mr. Walters would compel the Commissioners to examine into it. He challenged the Government to schedule in the Bill every man whom Mr. Walter with the greatest possible audacity coupled with that charge. Last of all, the Home Rule movement was charged with aiming to bring about the complete separation of Ireland from Great Britain. Now, that was a charge of treason, for to charge men with combining together to separate Ireland from Great Britain was nothing else than to charge them with an attempt to divide the Sovereignty of the two Realms and that constituted treason. He challenged any lawyer to deny that, and in the face of that charge, he challenged the Government to schedule in their Bill every Irish Member in that House. That might not satisfy their instinct of revenge; but, at any rate, it might satisfy to the utmost the desires of Mr. Walter. In this case, let them not limit themselves to six men or to 10 men, let them not pick out a few of the chief supporters of the movement and schedule them as traitors and associates of murderers, but let them schedule every Irish Member, and then the House, in all parts of it, and the country in all parts of it, would be able to understand to their full extent and would be able to examine by the light of truth, the motives and nature of the base plot directed by a ring of political Thugs against the Representatives of Ireland.

Amendment proposed, in page 1, lines 18 and 19, to leave out the words "certain Members of Parliament and other persons."—(*Mr. Sexton.*)

Question proposed, "That the word 'certain' stand part of the Clause."

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, he had an Amendment very similar to the one under discussion as to whether the inquiry was to be a vast and large one, or whether it was to be limited to the conduct of certain prominent men. Many speakers on the side of the Government had said that this Amendment would tend to limit the scope of the inquiry. That was certainly the case, and he held that the scope of inquiry should not be too wide; it should be confined within reasonable limits. *The Times* had charged the National League Members, who were really the Parnellite Party, and who constituted five-sixths of the Representatives of the people of Ireland, with very grave offences; but were they, by means of this Bill, to enter upon an inquisition against the whole of the people of Ireland, and against their actions for the last 10, 15, or 18 years? Could they justify a demand for such an inquiry as that? He spoke as a sort of professional expert on these matters. He had been engaged in a similar inquiry, and, looking at this matter from a practical point of view, he held that if grave and serious crime were rampant in Ireland, and ordinary means failed to deal with it, they were bound to adopt extraordinary means. Now, he at once admitted that a demand for a Special Inquiry on crime generally in Ireland would be reasonable, and he further admitted that if they were to have such an inquiry they could not specify the persons against whom it was directed. But the fact was, that serious crime in Ireland had now ceased; they had no more of it in Ireland than they had in England at the present time; in fact, he believed they had not so much, and

the explanation was that the grievances that gave rise to the crime had been remedied. There was, therefore, no ground for entering into a historical inquiry such as the Government proposed. He asked the House and he asked the Government if an inquiry of that kind were necessary? Why was it not proposed at a time when crime was rampant in Ireland?

THE CHAIRMAN: Order, order! I think the hon. Member is very much exceeding the scope of the Amendment, which requires that specific persons shall be named in the Schedule.

SIR GEORGE CAMPBELL said, the question he wished to put was, whether the inquiry was to be directed against certain specified persons, or whether it was to be an investigation into the question of the whole crime of Ireland for the last 10 or 15 years? He submitted that the circumstances did not justify them in having an inquiry of the wide scope he had suggested. Hon. Members belonging to the Nationalist Party were willing that their conduct should be inquired into generally, but the object of the Government, in their proposal, was not to do that; it was not to secure the punishment of crime, but it was to blacken a political Party. He thought the conduct of the Government, in refusing to abate one jot or tittle of the measure now before Parliament, was most extraordinary; but he did hope that now they would consent to specify the charges alleged and the persons whose conduct it was intended to inquire into.

MR. T. D. SULLIVAN (Dublin, College Green) said, he wished to say a few words in support of the Amendment before the House. He did not know whether he was included or even mentioned in the publication called *Parnellism and Crime*, which should be more properly called *Walterism and Crime;* but this he did know, that he had been a member of the Land League from its inception to its final meeting; and he had also been a member of the Irish National League from its inception down to the present moment, and he was proud of his connection with both those bodies. He was conscious of no criminality in connection with either one or the other; he feared no investigation, either for his own part, or on the part of the gentlemen with whom he had the pleasure and honour to be associated in the working of that movement. It was curious that several Members of a Party supposed to be so iniquitous should have recently been honoured by the Representative of the Sovereign in Ireland. There was his hon. Friend the Lord Mayor of Dublin (Mr. Sexton), who had been appointed High Sheriff of that city by the Lord Lieutenant. There was another Member of the Party who had filled the same office, and he himself had been appointed one of the Judges to open the Commission for the trial of prisoners in Dublin, although it was well known at the time that he was a member of the National League. The document recording his appointment was a large parchment, with a big seal of the size of a dinner plate, and in this document he was styled "Her Majesty's trusty and well beloved." Much had been heard lately of O'Donovan Rossa and dynamiters, and he wished to tell the Committee that when Rossa wanted to adduce arguments for his misguided action, he quoted extracts from *The Times* newspaper, such as—

"Liberty is a serious game, to be played with knives and hatchets, and not with soft petitions."

The time of the House had been wasted in the present debate. Yes, but how? It had been wasted through the contention of the Government that facts which were matters of notoriety, and were not denied, should be included in the scope of this investigation. The Members of his Party acknowledged that they had resisted, and had taught their people to resist, certain unjust, oppressive, and cruel measures that bore the name of law in Ireland. What the Government ought to inquire into, if they wanted to inquire into anything, was complicity in real and actual crime, known and understood as such all over the civilized world.

THE CHAIRMAN said, he would call the attention of the hon. Member that the question now before the Committee was as to the names to be appended to the Commission.

MR. T. D. SULLIVAN said, he hoped that all names which were likely to be mentioned in connection with this investigation would be included—not merely a score of names, but a thousand, or more, if necessary. He would tell

the Committee what would happen. The Leaders of the Irish National Movement—and, above them all, the Leader of the Irish Party—would come out of this investigation more than ever endeared to their fellow-countrymen. His hon. Friend (Mr. Parnell) had long been trusted, admired, and loved by his countrymen; but never had he been so dear to their hearts and so high in their estimation as he was at this moment, when he had been so shamefully and so cruelly persecuted by Gentlemen on the opposite side of the House and by their organ, *The Times* newspaper. Never did he feel such an intense affection and such high admiration for that hon. Gentleman as he did at the present moment, when his hon. Friend had been persecuted—aye, crucified—for the sins of men over whom he had no control, and with whom he had no connection.

MR. COMMINS said, he had been connected with the National League and the Land League and with the Home Rule Association, as well as with every association which had existed for the purpose of giving self-government to Ireland, from the days of their inception. He had been on the executive of every one of those movements, and he was proud to be included in the sweeping charges made by the organ of the right hon. Gentlemen on the Treasury Bench. He challenged investigation, and he challenged the Government to place his name in the Schedule; for if there were any secrets in connection with the organization no one had a better opportunity than he had of knowing them. If any man were guilty among the 85 Irish Members, no one could be more guilty than himself, for he had stood in the front rank of the inner circle till now. Why did the Government refuse to name those who were charged? Simply because the charges were not *bonâ fide*. The Bill was not *bonâ fide*. This was only a movement for the propagation of slander; there was safety in generalties, and the Government feared to come to close quarters. The position of the Government reminded him of a recent international prize fight, one of the combatants in which kept running away until his opponent wearied himself. The Government were adopting a similar policy to that pursued by Mitchell. The Commission was not intended to be a Court of Justice; it was merely a means of propagating slanders which the promoters knew to be utterly unfounded.

MR. T. M. HEALY said, there had been considerable difficulty in getting a copy of the charges brought against his hon. Friends and himself; but he had just procured a copy of *Webster's Dictionary*, and after a short perusal of it he had come to the conclusion they might fairly ask for the acceptance of the Amendment of his hon. Friend. Since the last Division he had heard why the Government refused to allow any Amendment. The reason was a purely technical one, for the Government hoped thereby to save the Report stage. But they could not possibly do that, as the names of the Judges who were to constitute the Commission had been inserted since the second reading; therefore, he would urge them to give some consideration to the Amendments. Now, on looking at the book, he found an accusation against himself, and he wondered was it to be seriously brought before the Commission. On page 50 of the report of the trial of "O'Donnell *v.* Walter," the hon. and learned Attorney General was asking—"Who are the Irish Members who took flight?" That was a very serious allegation from his point of view; far more serious than many of the charges which had been advanced. The answer was—"I believe Mr. Biggar, Mr. Healy, and Mr. Sexton." As far as he (Mr. T. M. Healy) was concerned, he repudiated the charge of cowardice; but he would never think of seeking to justify his reputation before a Commission of Her Majesty's Judges. Were they to be engaged for the rest of the evening in seeking to extract from Her Majesty's Government the names of the men against whom the charges were made, as well as the nature of the charges themselves? But he had not yet done with the New Testament which he held in his hand. The hon. and learned Solicitor General, in his very able speech, referred to himself and others as Members of the first Home Rule Ministry who were to be caught red-handed as being in traffic with dynamiters. Well, he could never imagine he would be a Member of the first Home Rule Ministry were it not he knew that so many duffers were Members of existing Ministries. Per-

haps he might some day find himself in receipt of, say, half the salary paid to the Civil Lord of the Admiralty. Now, would not the Government consent to define these charges? Let them be good enough to state who were the Members who were charged. What had the hon. and learned Solicitor General said on that subject? He said it would take all day and all night to find out what the charges were. Whatever the charges might be, the Government would not define them; but at least the Irish Members could ask them who the individual Members were who were charged? Now, this question affected, to a large extent, the convenience of individuals in that House, and he wished to warn the Government that if his name was not put in the Schedule of this Bill what he intended to do was to go away for a long holiday. He respectfully submitted to the House that he deserved it, and after a long season of arduous labour he intended to go somewhere for the benefit of his health. If they put him in the Schedule of the Bill he should stop in Ireland and come over to this country when he got his *viaticum*—that was to say, his means of going and returning—and not before. If they wanted to get him they would have to send over their Inspector, Littlechild, who would take him from Ireland to London for nothing. If his name was put in the Schedule, even if he did not defer his holiday, he should at least abridge it, and although he might leave the country he should not wander beyond easy reach of it. But he did not want it to be said, if he went for two or three weeks—"Oh, Healy has fled from justice." And such charges, as they knew, could be easily made by the hon. and learned Attorney General. It seemed to him that the higher that a man's functions were, and the larger his fees, the more easy it was for him to make charges. Therefore, when he found charges strewn around with the profusion of flowers that bloom in the spring in this book, *Parnellism and Crime,* if it were only for the sake of giving Members a holiday, and that relaxation which even the Chairman of Committees would be glad of, he trusted that the names of Members who were to have charges brought against them would have their names placed in the Schedule, so that they would know exactly where they stood, and what to do with their time. He would urge the Government, at any rate, to put his name in the Schedule, because he gave them fair warning that he was going away. As a matter of fair play, if they should require the attendance before the Commissioners of large numbers of persons who would be scattered far and wide at the close of this Autumn Sitting—who would go forth, North, South, East, and West for their holidays, although not to shoot grouse, as very few of them had grouse to shoot—put their names in the Bill, and by so doing give them notice that their services would be required within the shores of Great Britain. If the Government did not do that, they would have *The Times* watching the booking offices to see what became of the Irish Members, and they would have *The Times* stating—"We find from our respected agent who has attended at the booking office at such-and-such a place that So-and-So has gone away once more to Paris, once more to join with the birds who nestle in that gay capital." He thought that of all the unreasonable proposals he ever heard, it was most unreasonable to expect that the Irish Members would anchor themselves down here in the month of August—he was going to say sweltering, but that was not likely in this climate—pigging three in a bed in the slums of Pimlico, as was once said of the Irish Members, or wasting the American dollars in some palatial home in Belgravia—as was said of them at another time. The Government desired to anchor them down here until the hon. and learned Attorney General got steam and acquired sufficient *momentum* to enable him to instruct *The Times* as to what charges should be made, or what persons should be charged. Either the Government knew the culprits, or they did not; either this was a fishing business, or it was not. Members of the Government, and other hon. Members, were at liberty to go away whenever it suited them. They would go shooting their grouse, or go to Norway, or to the Holy Land; but the Irish Members were to stop here in order to be fired at by the blunderbusses of the hon. and learned Attorney General, or, rather, to be drenched from the hose of his liquid manure tank—the sweet smelling reservoir he had dammed up for their edification, and with regard to

which those Irish Members were not to receive one word of explanation as to who was the exact party to be bespattered. He said this—that if he was to be attacked, and if an investigation was to be made into his conduct, he was entitled to some knowledge of what was to be done beforehand. They were not to stand there for months to be shot at, whilst Members of the Government were taking their pleasures abroad and recruiting themselves for the Autumn Session. He submitted that out of common courtesy to Members of that House—putting aside altogether the question of decency or propriety—in common courtesy and fairness, the Members of that House—who had been in attendance for so long and had been engaged upon such arduous duties—were entitled to some attention. How did the Government treat their own Members? Why, when they brought charges of corrupt practices and so on against them, they took great care that they should have every notice of the charges which were to be preferred a long time in advance. But the Irish Members, forsooth, were to wait, like the man in the novel, for something to turn up—for the Government to speed their explosive bullets at them, and then, when the Government had lain like Moonlighters behind a hedge with their faces blackened discussing who was to make the charges, at one time from behind the mask of *The Times* and at another from behind the mask of the hon. and learned Attorney General, the Irish Members were to wait here in town until they heard the explosion, and then they were to come forward in white sheets and submit themselves to the examination of their Conservative Inquisitors. That was a condition which he declined altogether to put himself into. He would not stop within reach of the Commission unless he was told he was wanted; that was a fair challenge. They had put a certain number of names in their charges, or, rather, into this pamphlet, *Parnellism and Crime*. The hon. and learned Attorney General had found no difficulty, when he had received a certain fee, of mentioning his (Mr. T. M. Healy's) and other persons' names. He had done this at the behest of his masters, *The Times*. Well, could not the hon. and learned Gentleman's masters put his (Mr. T. M. Healy's) name on record now? The hon. and learned Gentleman, when he desired to do so, and when it was to his interest to do so, found no difficulty in putting his finger upon the name of an accused party. Let him do so now. It was not necessary to this demand to say—"Oh, by-and-bye other accused parties will turn up." If other parties did turn up the Judges would be able to deal with them—if they turned up after the inquiry concerning persons whose names were in the Schedule, the Judges would have no difficulty in stating that they had not been able to complete their inquiry and in obtaining further powers. Hon. Members opposite, who so loved their own comfort and their own ease that they could not sit here to pass the Estimates, the consideration of which was one of their public duties and the highest duty cast upon them, were not the persons who should insist upon large numbers of people waiting to be called before a Commission without being told definitely beforehand that they would be wanted. They were waiting, perhaps, until a man went upon a little holiday, when they would come forward and say—"Oh, now is the time for us to get out a subpœna for him. Now is the time to throw a little mud." Conduct like that was conduct which he, for one, could not sit there and witness without entering his protest against it. But it would be said that the Irish Members were dealing with gentlemen of honour. Yes, very fine gentlemen of honour they had found them—very honourable men—men who met Mr. Walter in their closets, men who received his money and then fulminated these charges, and others who sold these pamphlets 13 to the dozen with 30 per cent over. When they found that these were the characters of the men who were making these charges, they ought not to be slow in considering whether they ought not to take an advantage—even a temporary advantage of this kind—of every opportunity for running away. The Irish Members insisted, therefore, upon knowing who it was that the Government expected to remain at home during the next autumn in order that they, the Government, might hurl their charges at them.

Mr. CLANCY (Dublin Co., N.) said, he thought it a most extraordinary thing that there was no response from the Treasury Bench. He did not know how

the Treasury Bench could conceive it at all consistent with their duty to allow the speeches that had been delivered from the Irish Benches to-night to remain without an answer. If he were to interpret the feeling of that side of the House, he should say that since the revelations made by the right hon. Gentleman the First Lord of the Treasury they could come to no other conclusion from the silence of the Ministry than that Mr. Walter was not at present in the House. He (Mr. Clancy) said he would advise the Leader of the House, before this debate went on much further, to send for Mr. Walter and let them have some answer. If the right hon. Gentleman could not get at Mr. Walter, let him get at the counsel for *The Times*, who was sitting near him. The right hon. Gentleman could sit closer to him, if he liked; but, at any rate, do not let them allow the scandal to continue of remaining silent when on an occasion of this importance speeches such as they had lately heard were delivered. Do not let the scandal be any longer witnessed of a number of men, who, under ordinary circumstances, were able to answer speeches, and even to give an appearance of answering in a very bad case—let not the scandal be witnessed of these men sitting silent all of a row, like mummies, laughing and pretending not to care for the allegations which had been made against their own honour in this matter. He supposed that if an answer were given to the speeches of the Irish Members, it would be that the Government felt it necessary to refuse the Amendment, as they had refused all other Amendments emanating from the other side of the House. He would repeat what had been already alleged on the Opposition side of the House more than once — namely, that the reason the Government would not accept the Amendment was that *The Times* would not permit them. *The Times* on Monday morning had an article, in which it indicated precisely the course of this debate. It reviewed the Amendments then put upon the Paper. There were eight or nine Amendments so discussed, and every one of those, with the exception of two, were declared inadmissible by *The Times*. Those two Amendments had not yet been reached, and it was very odd that all the Amendments which had been reached had been, as *The Times* called upon the Government to do, rejected summarily by enormous majorities. It must be, he contended, because *The Times* would not allow the Government to accept this Amendment, that the Government would not make any answer, but were determined to reject the Amendment without discussion on their side. If the Government could not conveniently consult Mr. Walter or the counsel for *The Times*, let them, at any rate, call into council that great friend of *The Times* on the Opposition side of the House—namely, the hon. and learned Member for Inverness (Mr. Finlay), and let them so have an answer to the appeal which Irish Members felt it necessary to make. If no answer were given, he should feel bound to move that the Chairman do report Progress, and ask leave to sit again.

MR. MATTHEWS: There are speeches made in this House, Sir, in such a tone and temper that they do not deserve an answer. The hon. Member opposite who has just sat down has thought fit, in language that I would rather not criticize by any epithet, to heap upon my right hon. Friend the Leader of the House offensive insinuations. ["No, no!"] Yes; and accusations. I say that advisedly, and I do not think that observations of that sort introduced into a serious debate ever deserve or call for answer. As to what has fallen from the hon. and learned Member for Longford (Mr. T. M. Healy) I have listened, as we have all done, with much amusement to the hon. and learned Gentleman's speech, and I am delighted to find that the hon. and learned Member's Friends who sit about him no longer object to the introduction of a little good-humoured banter into what they have previously described as a debate so solemn and serious that no one on the Ministerial side was to be allowed even to smile. With regard to two other speeches we have heard this evening I have not a word to say. [*Cheers.*] I understand that cheer. One of the speeches I refer to was the speech of the late Lord Mayor of Dublin (Mr. T. D. Sullivan). I can quite understand a speech of that kind coming from an hon. Member protesting in favour of his own innocence, and making a self-laudatory speech, and I do not use that word offensively. With regard to the speech of the Mover of the Amendment, which is the other speech to which

I allude, it appears to me that the hon. Member answered his own proposal in a most conclusive manner. The hon. Gentleman read from these articles and these proceedings passages which everyone would admit are passages deserving of the fullest answer. The hon. Gentleman himself read a passage which is the key-note of the whole of these charges which have been the subject-matter of the recent action. I refer to this passage—

"There are volumes of evidence, and it is being added to every day, to show that the whole organization of the Land League, and its successor the National League, depends on a system of intimidation carried out by most brutal means, and resting ultimately on the sanction of murder. The Irish Home Rule Party glory in being the inventors of this organization,"

and so on. You could hardly pick out a sentence embodying the whole character of the charges made, and no man is named in connection with these charges. Can the hon. Member suppose that we are going to listen to the appeal. —"Name those you charge under that sweeping allegation?" We charge no one. Is this charge of our contrivance? [*Opposition Cheers.*] Yes; I am going to meet that proposition. Why, it was only a few months ago upon these very accusations—these accusations in connection with which nobody is named, but which strike vaguely at the whole Party—that hon. Members below the Gangway opposite themselves came down and asked for an inquiry, and now they want us in this House to anticipate the very work that the Commission is to do. It is the Commission which will have to ascertain who, if anybody, is answerable, what persons, if any, belonging to the National League, or the Land League, or the Irish Home Rule Party are fitly described and criticized in *The Times*, and are contained in that sentence which the hon. Member for West Belfast (Mr. Sexton) himself read. Why, if we were to name any persons, we should be anticipating and forestalling the very work the Commissioners will have to do. It is for the Commissioners to say that nobody at all belonging to the Land League or the National League are men upon whom these accusations properly rest. We trust that will be the result of this inquiry. The Commissioners may find either, as I say, that there are none of the Party to whom the charges and allegations apply, or it may find against A, but not against B, and for C and not for Z, and so on. But how is this House to fix beforehand the names of those persons who are to be scheduled? You will, from beginning to end of this pamphlet, find allegations made whether the subject-matter of the inquiry is matter that can either be very truly said of any person, or cannot be truly said of any person. There is one other matter to which I should like to allude. It is said that we are resisting the Amendment because we wish to avoid the Report stage of the Bill; but it is not the case, there having been a blank left in the Bill for the names of the Commissioners when the measure was introduced, and that blank having been filled up by an Amendment proposed on behalf of the Government, it is absolutely inevitable that the Report stage should be taken.

Mr. T. P. O'CONNOR said, the right hon. Gentleman had complimented Members sitting on the Opposition Benches for their good humour in this debate, and in so doing he had thrown a remarkable side light on the genuineness of this whole business on the part of the Government, and had afforded some test of the amount of sincerity there was in relation to these charges. Irish Members were charged with participating in, with complicity with and conniving at, the most serious crimes that could be laid at the door of any man; and the Government, which pretended to believe in these charges, was delighted that those hon. Members were able to discuss them in a spirit of good humour. The right hon. Gentleman had stated that the Government had never made these charges. He wondered how the right hon. Gentleman could have the face to make such a statement as that, when these charges had formed the stock-in-trade of the political Party opposite for years. The only frank speech they had heard from the other side of the House was that of the hon. Member for Oldham (Mr. Elliott Lees), who had said that they had made these charges to his constituents, and that they repeated them to the House. It was a notorious fact that there was scarcely a Member on the Benches opposite who had not made these charges before his constituents.

The forged letter had actually been used as an electioneering placard when the constituency of Taunton was being contested. He (Mr. T. P. O'Connor) understood that one of the Conservative Members for the Metropolis was so anxious for the enlightenment of his constituents that, though there was no contested election going on, he took the trouble to have published and circulated amongst his constituents a copy of this forged letter. [*Cries of* "Name!"] He did not wish to appear to be making a personal attack upon anyone opposite, but the fact he had referred to was notorious. He found that these charges had formed a staple of Tory proceedings during the past year and a-half. Then down came the Home Secretary and made a statement as to the absolute impartiality of Her Majesty's Government. Why, did the right hon. Gentleman think the Irish Members were idiots enough to believe that in face of the fact that the Government had been in connivance—he would not say in consultation—with the Editor of *The Times*, they were impartial in this matter? He had listened very carefully to the speech of the right hon. Gentleman as he read the passage which charged the whole Home Rule Movement and the whole of the Home Rule Members and associates with complicity in these crimes. Well, did not this extract prove what the Irish Members had been saying all along—namely, that this was not to be an inquiry levelled against Members in that House, but an inquiry into political movements and political organizations? The Irish Members had never asked for this inquiry. They had always refused to have any part in, or responsibility for, any such inquiry. The right hon. Gentleman had given them a history of the rise of this Bill which was as accurate as his story of his relations with Dungarvan and O'Donovan Rossa. When did the Irish Members ask for and demand an inquiry in the interest of the Home Rule Movement? The whole inquiry had a Parliamentary origin in the attacks made upon specified individuals. If that were not the nature of the case, this Bill would have had no existence. They would not have been concerned in this Bill if the charges made had been brought against persons outside the House, for the Government would have said that the charges must be brought before the Criminal Courts of the country to be decided by them. The Home Secretary had lately had to deal with charges against the police, and had taken up a perfectly justifiable position with regard to them. He had rightly and properly said that he would deal with no charges of a general character. He had said—"Produce your individual case; name your offenders; bring specific charges against them, and then I will order an inquiry." The right hon. Gentleman had stated for once with genuine indignation that he would have nothing to do, and no connivance with, inquiries founded upon vague charges against the police-constables of this City as a body. He insisted upon having the names given; he insisted upon having the charges brought before him, and all the specific details set forth, before he would order an inquiry; but when Members of this House, against whom charges were made, appealed to the Government before inquiry was granted to require specific details to be given, the right hon. Gentleman and his Colleagues refused to listen to them. Members of Parliament were to be refused those rights and privileges which the right hon. Gentleman the Home Secretary demanded for the commonest police-constables of the Metropolis. He (Mr. T. P. O'Connor) did not think he ever heard a more unfair discrimination as against Members who happened to be politically opposed to the Government. He would point out how the right hon. Gentleman might get the names of the Members against whom charges might be brought. At page 97 of *Parnellism and Crime*, *O'Donnell v. Walter*, this passage occurred—

"We suspend our studies of Parnellism. They do not affect to be complete. They are made of a cursory examination of a small portion of the published evidence. They have, however, revealed nearly all the chief Members of the first Home Rule Ministry—Mr. Parnell himself, Mr. Justin M'Carthy, Mr. T. P. O'Connor, Mr. Sexton, Mr. Arthur O'Connor, Mr. Healy, Mr. Biggar, the Messrs. Redmond, Mr. William O'Brien, and Davitt"—

he did not know why Mr. Davitt should not have been treated with the same courtesy as the others—

"in trade and traffic with avowed dynamiters and known contrivers of murder."

He (Mr. T. P. O'Connor) did not know that he should not feel particularly honoured by being considered a

candidate for the first Home Rule Ministry, or that he should necessarily object to being included in the list of those who were said to be "in trade and traffic with avowed dynamitards and known contrivers of murder;" but he thought he might say, on behalf of his hon. Friends the Member for West Belfast (Mr. Sexton), the Member for North Longford (Mr. T. M. Healy), the Member for Londonderry (Mr. Justin M'Carthy), the Member for Cork (Mr. Parnell), and others, and also for himself, that they had not the least objection to having their names set forth in the Schedule, and of being tried and possibly convicted of the offences named in this charge. So that, so far as they were concerned, do not let anyone try to delude the country into the belief that they were shrinking from this inquiry. If they were shrinking from it, they took a most extraordinary way of showing it. They asked that their names might be put before the world as criminals to be prosecuted, and who were not skulking and shirking an inquiry, to use the words of *The Times*. If the Government did not think the list of names he had mentioned sufficient, they would not mind the addition of a few more. The right hon. Gentleman the Home Secretary, for instance, might add the name of his friend, O'Donovan Rossa; but, so far as he (Mr. T. P. O'Connor) and his Friends were concerned, there was not one person who could be added to the list who would object to his name being put upon this *Newgate Calendar* of the Schedule of the Act. The hon. Member for Longford had asked—

"Are men who have business in Ireland to be kept hanging about London until *The Times* and the Government between them make up their minds as to what charges and what persons shall be brought before this tribunal?"

Here was a charge against the leaders of a political movement; the political existence of some of them might depend upon the result of the inquiry, and yet the Government refused to name, not only the charges to be brought, but the criminals to be charged. The right hon. Gentleman the Home Secretary said the Government were perfectly aware that the mere fact of their having filled in the blank for the names of the Commissioners showed that they did not wish to avoid the Report stage of the Bill, and he had said that, therefore, that was not a reason for the Government refusing Amendments. Well, he (Mr. T. P. O'Connor) did not cast a doubt upon that declaration; but not a single Amendment which had come from the Opposition side of the House had met with any encouragement, or even with decent discussion, on the part of the Government. With regard to the difficulties of putting in a Schedule in the Bill, they were all imaginary. He believed that if the Government had assented to reasonable Amendments in the Bill they would have got through the whole discussion in the course of five or six hours. He repudiated entirely all responsibility for any delay which had occurred in the passing of the measure. [*Cries of* "Oh!"] He did not expect that that statement of his would find credence on the opposite side of the House. He could only make the statement on behalf of his hon. Friends and himself, and he repeated that they entirely repudiated responsibility for any delay or discussion which had taken place on that Bill. They had allowed the Bill to go through the second reading stage with great rapidity—with a rapidity which had since been made a reproach to them. And why had they done this? First, because they heartily and cordially accepted the principle of inquiry—because they had demanded and were ready to accept an inquiry. But they had heard speeches from the right hon. Member for West Birmingham (Mr. J. Chamberlain) and from the Conservative Member for Oldham (Mr. Elliott Lees), in which both agreed with the terms which the Irish Members had laid down. The speech he (Mr. T. P. O'Connor) had delivered on the second reading of the Bill contained a number of statements as to the principles which guided the Irish Members, and between those statements and the statements in the speech of the right hon. Gentleman the Member for West Birmingham there was scarcely a single real or material difference. The same thing might be said of the speech of the Conservative Member for Oldham, who demanded there should be certain charges specified, and that the inquiry should be confined to those charges which were really considered serious charges of complicity with crime and violence. Irish Members asked for the exclusion of all charges of a political

or speculative character, and with these terms both the right hon. Member for West Birmingham and the hon. Member for Oldham cordially agreed. That was the reason why the second reading of the Bill was allowed to pass with little discussion and no Division. But how had the forbearance of Irish Members been rewarded? In the first place, that forbearance had been utilized to make capital to their disadvantage; and, in the next place, the hopes and expectations they founded on the reasonable attitude of supporters of the Government, more especially that of the stable and constant supporter of the Government on the Front Opposition Bench, had been deceived and disappointed; the Government had thrown over their own supporters, the right hon. Gentleman the Member for West Birmingham had thrown over himself, and the result of this was that the Parliamentary good faith upon which he and his Friends relied when they allowed the second reading to pass unchallenged had been abused, and they were now met with a *non possumus* from the Government to every Amendment, however moderate. However, they would continue what he was afraid was a futile and fruitless effort to bring reason to the Government. The Government might try to burke and stifle discussion by a conspiracy of silence, or by other means at their disposal, the sinister nature of which he would not anticipate; but Irish Members had made their case clear before the Committee and before the country by their readiness, nay, by their demand, to have names in the Schedule and the charges specified. They had proved, to the mind of every honourable impartial man, that they were ready to meet face to face, every single one of them, any charges that could be brought against them, their only condition being that the charges should be brought in such a manner that the country would understand them—not mixed with and submerged in a general inquiry into a political organization.

MR. ELLIOTT LEES (Oldham) said, as allusion had been made to himself, and his remarks of the other night had been misrepresented, he might be allowed to say that on that occasion he appealed to hon. Members not to hamper the progress of the Bill. But what was their attitude on this occasion but an attitude of obstruction? He had asked hon. Members to consider this—that if they could quite disprove the charges of complicity with murder made against them the public would think very little of the other charges; and, therefore, he appealed to them to accept the whole inquiry proposed by the Government. They might take little account of the other charges if they could disprove the accusation of complicity with murder. He could quite understand the attitude of a man against whom a trumpery charge was brought shrinking from disclosures that cross-examination might bring about; but what ghastly, fearful revelations those must be before which charges of murder shrank into insignificance! ["Oh, oh!" *and cries of* "Explain!" "What do you mean?"] He would explain what he meant. Hon. Members had here the chance of clearing their characters from a charge of complicity with murder; but they shrank from and obstructed that inquiry, because they said they did not want small details connected with their past organization to be brought before the country. Further, he would say this inquiry was undertaken, this proposition was brought forward by the Government, as had been pointed out by the noble Marquess opposite (the Marquess of Hartington) in response to an appeal from hon. Members opposite, and he would remind the House that they had to consider not only fair play to hon. Members opposite—they had given him credit for a desire to act in a spirit of fairness—they had also to consider fair play towards *The Times* newspaper. The question whether there should be any inquiry into charges made against hon. Members of the House or not was a question upon which laymen—Members who were not lawyers—were quite as competent to express an opinion as lawyers, but the question as to the mode in which those charges should be investigated and the truth discovered was a question upon which lawyers were specially qualified to give an opinion. Trained lawyers had given opinions at variance one with the other; and hon. Members surely could not complain of him if, on a question where he had to seek counsel's advice, he preferred to take the legal opinion from his own side.

MR. J. CHAMBERLAIN (Birmingham, W.) said, that the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) and other hon. Members had referred to the speech he made the other night as a justification for the present Amendment. As he had pointed out, he was very hopeful that some agreement might have been come to between both sides of the House for some limitation of the charges in this case. Had it been possible in any way to define more clearly the charges brought against hon. Members he would have been glad to see it done. But no Amendment had hitherto been proposed which in the slightest degree carried out the limitations which he expressed his willingness to accept. When the hon. Member for the Scotland Division referred to his speech as a justification for the present Amendment he seemed to forget what he had said. He urged Her Majesty's Government not to accept any proposal limiting the persons who might be accused, and he justified his argument by references to previous Commissions. More particularly he pointed out that, in the case of the Sheffield Commission, nothing whatever of importance would have been discovered if any such limitation had been accepted. [An hon. MEMBER: No one was accused there.] [Another hon. MEMBER: It was only in one town.] It was extremely difficult to take up these interruptions, some of which were inconsistent. One hon. Member said that no one was accused there, but he did not see what bearing that had on the present argument. It would be easy for the Government to take out every name mentioned in *The Times* articles and put them in a Schedule—it would be perfectly easy; but, under those circumstances, it might be that the result of the inquiry would be to exclude those who were guilty. It might be, as he had pointed out, that in this inquiry, as in the case of the Sheffield Commission, the person or persons who were really guilty, and whom the whole House would desire should be brought to justice, were not the persons who were accused. Under those circumstances, it was perfectly absurd on the part of hon. Members concerned, who professed their innocence, which he was perfectly ready to believe—it was perfectly absurd of them to endeavour to make a limitation which would exclude from the inquiry those who were the guilty persons. For that there were some guilty persons in this matter there could be no doubt. [An hon. MEMBER: Guilty of forgery.] There could be no doubt that they had an agitation professing to be Constitutional which shaded down by imperceptible degrees into the most flagrant crime. Hon. Members below the Gangway said that they were not responsible for that, and that they were entirely innocent. He hoped they were—he was quite willing to believe they were; but that was the more reason why this inquiry, once instituted, should go to the bottom of the matter, and not only find out who were innocent, but who were guilty. He rose for the purpose of protesting against the references to his observations by the hon. Member for the Scotland Division, and to point out that whether the argument he used was sound or not it was in opposition to this Amendment.

MR. T. P. O'CONNOR said, he was quite ready to acknowledge the fair spirit of the hon. Member for Oldham (Mr. Elliott Lees), and had no desire to recede from what he had said. But if he mentioned the hon. Member in connection with any complaint, it would be because he had not used his influence with his own Party to induce them to accept the sound and fair principle he laid down in his speech on the second reading of the Bill. He might remind the House of what the hon. Member then said. He did not hear the speech—it was his loss—and he had some difficulty in finding a report of it, because, the speech being fair in tone, and showing something like a spirit of impartiality and fair play to Irish Members, it was notoriously doctored and considerably suppressed in *The Times* report. The point he was endeavouring to impress upon the Committee was that the attitude of Irish Members in allowing the second reading to pass without Division was largely due to such speeches as that of the hon. Member and the right hon. Gentleman the Member for West Birmingham. The hon. Member for Oldham said—

"It may be true that the strongest part of the case is the letters which are said to have been written by the hon. Member for Cork. Hon. Members opposite say—'You are going to put a lot matter into the inquiry, and the

letters will be burked and stifled in the midst of it all, while the point to which the country is looking is that of the letters.'"

That was exactly the point of Irish Members, stated tersely and clearly. The hon. Member went on to say—

"I fully admit the force of that objection; but, on the other hand, if they can succeed in disproving the genuine character of these letters they would cause a tremendous revulsion of feeling in the country."

Let the inquiry, then, be first directed to this point, and the authenticity of the letters being disproved, then let the Government, if it liked, go into extraneous matter. That was the whole case of the Irish Members. They took up the position the hon. Member indicated, and said the letters had excited the interest of the country, and the charges contained in those letters they were called upon to meet; let the definite charges connected with the letters be put into the Bill, and not a roving, fishing inquiry directed not against Members, but against a political movement. He acknowledged the fair position taken up by the hon. Member, and regretted that the hon. Gentleman's Leaders were not so well advised as to accept the position. Then, to turn to the speech of the right hon. Member for West Birmingham, he might say that if he showed a certain shortness of memory as to the right hon. Gentleman's proposals and speeches, he might be excused in view of the extraordinary shortness of memory the right hon. Gentleman himself displayed on the same subject. The right hon. Gentleman said, in his speech on the second reading—

"It may be said on behalf of hon. Members—'We do not want this inquiry to last for an indefinite time, and therefore we do not want to go into mere offences against property, into Boycotting, and matters of that kind. They are illegal; they are crimes in a technical sense, but they are not the sort of crimes into which inquiry is now demanded."

Then the right hon. Gentleman added—

"Well, exclude them by all means. I certainly think matters of that sort would be altogether irrelevant to the main object of the inquiry, and I do not see why the inquiry should not be confined to general charges of real importance affecting complicity with crime on the part of hon. Members, and with crime of personal violence and outrage."

The right hon. Gentleman said he stood by those words; but his difficulty appeared to have arisen from the fact that nobody had ingenuity enough—not even in the House, where there were so many eminent masters of language—to frame a form of words to carry out that perfectly intelligible principle. The right hon. Gentleman, however, did less than justice to himself and to the ingenuity and draftsmanship of the House when he attributed his difficulty to such a cause. Moreover, it wasn ot correct—the Amendment of the hon.and learned Member for Dumfries did carry out the principle, and almost in the words used in the right hon. Gentleman's speech. The right hon. Gentleman had now endeavoured to sustain his consistency while opposing an Amendment that almost borrowed the words of his own speech to carry out his own idea. The right hon. Gentleman said he wished to include in the scope of the inquiry all men, whether Members of Parliament or not, whether guilty or innocent. Irish Members were grateful to the right hon.Gentleman for the doubting faith he had expressed in their innocence. Hon. Members generally might be thankful that they had seen the glorious day when one Member of the House could say of other Members—"After all, we are not convinced that you are all foul murderers." Representatives of Ireland were more than grateful for the compliment conveyed. What was the avowed origin and purpose of the Bill? Not to inquire into the acts of Frank Byrne, or the inflammatory writings of Patrick Ford, or the guilt of other persons in America. What would be the use of such an inquiry? If they were found guilty of any crime the inquiry would not bring them under the sword of justice. That was not the question the country was interested in; it was not a question of the guilt of men in America, but of men in the House. What was the whole case of *The Times;* and why were all these charges made? He did not suppose they were due to personal animosity to his hon. Friend the Member for Cork and his associates; he would acquit the writers in *The Times* of any personal animosity against men whom perhaps they had never seen and with whom they had no acquaintance; these attacks were made as against leaders of a political movement, as against Members of a Party in the House; they were made clearly and avowedly for the

purpose of showing that a movement having such leaders was not a movement deserving the support of honest and honourable men. That was the whole origin of the attack, and of this proposal for inquiry, and the right hon. Gentleman was only endeavouring to lead the House and the country astray on a false issue when he raised the question of the guilt or innocence of Frank Byrne and the revolutionary or inflammatory writings of Patrick Ford. The Bill had really nothing to do with those matters; the whole question upon which the country was excited was the guilt or innocence of men who sat as Representatives in the House, responsible for the legislation of the whole Empire as well as their own country. It was unfair and uncandid that Members should endeavour to lead the country on a false issue away from the definite charges against Members of Parliament to charges against other persons in all parts of the world.

MR. W. H. SMITH rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and *agreed* to.

Question put accordingly, "That the word 'certain' stand part of the Clause."

The Committee *divided*:—Ayes 259; Noes 204: Majority 55.—(Div. List, No. 253.)

SIR JOHN SIMON said, that in moving the omission of the words "other persons," it was necessary to refer to the circumstances under which the Bill was introduced. Although those circumstances had been referred to already, he should not be able to explain the reason for his Amendment without reference to them. He need not remind the House that after the appearance of certain letters in *The Times* last year, the hon. Member for Cork came down and moved for a Committee to inquire into their authenticity. ["No, no!"] The noble Lord contradicted that statement.

THE MARQUESS OF HARTINGTON: The hon. Member never moved for a Committee of Inquiry.

SIR JOHN SIMON said, he did not, in the technical sense, it was true; but he made an appeal to the Government for such an inquiry, and the appeal was refused. The point was that the appeal was in reference to the authenticity of the letters that appeared in *The Times*. Then what happened? A trial took place between a gentleman formerly a Member of the House and the proprietors of *The Times*, and during that trial these letters were produced as evidence, and formed matter of comment in the speech of the Attorney General. The hon. Member for Cork in the House challenged the authenticity of those letters, declared them to be forgeries, and asked the First Lord of the Treasury to grant a Committee of Inquiry into their authenticity. The authenticity of the letters was the subject of the hon. Member's request last year and during the present Session; but that request was refused. A few days later the First Lord came down to the House, and said that in response to the request of the hon. Member he was prepared to bring in a Bill to establish a Commission of Inquiry into the letters and other matters that formed the subject of the Attorney General's speech at the trial. Now, it was not in response to the request of the hon. Member for Cork that the Bill was introduced. That hon. Member did not ask for a Commission, but for a Committee of the House; nor did he ask for an inquiry into the conduct of any other persons than himself and his Colleagues. It was in strict conformity to usage and custom that the hon. Member made his request. When a charge was made against any of its Members, the House took cognizance of it. The character of its Members was, in a sense, its property, and it was bound to see that right was done. That was the Constitutional course that the hon. Member took when he confined his request to the charges concerning himself and his Colleagues, as a matter concerning the honour and dignity of the House, and with which the House was the proper tribunal to deal. The First Lord of the Treasury must not suppose that it was any disrespect to himself when he (Sir John Simon) challenged his conduct as unconstitutional and unwarrantable in handing over an inquiry from the proper tribunal to a Commission to inquire into the conduct, not only of the Members concerned, but that of other persons with whom those Members might or might not have been in communication.

It was not a fair response to the appeal of the hon. Member for Cork. It might be said that if the conduct of other persons was not included in the Reference to the Commission, circumstances might, in the course of the inquiry, come to light in reference to other persons; that if those "other persons" were excluded from the scope of the inquiry, the Commissioners would be debarred from inquiring into, perhaps, the most criminal acts. But that would not be so. He appealed to the Attorney General, or to any lawyer in the House, if, in the course of an inquiry of this nature into matters affecting the conduct of Members of the House, anything were to come to light showing that there had been connection between them and persons guilty of criminal conduct, though the conduct of these persons did not form the subject of inquiry, whether an investigation of these acts would not fall within the duty of the Commission? Often in a Court of Law, when in course of evidence matters were disclosed as to persons other than the one immediately concerned in the trial, such matters, if they affected the guilt or innocence of the person on his trial, were not and could not be excluded. So in this Bill, if the terms of the inquiry were confined to Members of Parliament, and if any circumstances arose in the course of inquiry as to the actions of other persons in relation to these charges that threw light on the inquiry, though those persons were outside the terms of the inquiry, the Commissioners would be entitled to go into the whole matter, and ascertain the truth. But he contended that this proposed Commission was not a response to the appeal of the hon. Member for Cork. That hon. Member applied for an inquiry into the conduct of himself and the Members by his side; he did not ask for an inquiry into the history of the last nine years' agitation in Ireland. Although he did not impute any improper motive to the Government, he would say that if they were trying to induce the public to form an unfavourable opinion of their motives, they could not have taken a course more calculated to do so than the course they had adopted; for instead of the Committee which the hon. Member for Cork asked for, they proposed to establish a Commission of Inquiry to go over the whole history of agitation in Ireland for the last nine years, and to arraign, perhaps, before that Commission persons with whom hon. Members below the Gangway had nothing to do. What did the public care about the doings of Rossa, of Egan, of Byrne, or of any other persons on the other side of the Atlantic? What the country was interested in knowing was whether the hon. Member for Cork wrote the letters that were attributed to him in *The Times*. That was the head and front of the whole case—the only question in which the country took the slightest interest. But it seemed to him that the case of the letters had already broken down, and the Government wanted something else to fall back upon in justification of themselves, and to keep themselves right with *The Times* newspaper. The tendency of the inquiry was to throw an unfair odium on those hon. Gentlemen, and it was for that reason he protested against other persons being included in the Bill. The public did not care one straw about the inclusion of other persons. Their acts had been reported over and over again in connection with proceedings in Ireland, and it was, therefore, no enlightenment to the country or the House to go into those cases again. What the country was interested in was, whether the letters attributed to the hon. Member for Cork (Mr. Parnell) were or were not forgeries. When the Government stated that they were not the accusers of the hon. Gentleman, he (Sir John Simon) denied that statement. The hon. and learned Gentleman the Solicitor General had stated that evening that the Government did not bring the charges against hon. Members. No; but they adopted them, and so placed themselves in the position of accusers. Notwithstanding their denials, they stood there as the prosecutors of hon. Gentlemen.

Amendment proposed, in page 1, line 19, to leave out the words "and other persons."—(*Sir John Simon.*)

Question proposed, "That the words 'and other persons' stand part of the Clause."

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) said, there was really no encouragement to the Government to repeat denials which were met in the way in which their denials were met by

the hon. and learned Gentleman. He (Sir Edward Clarke) had stated yesterday, and he had stated in the course of the evening, that the charges were not originally made by the Government ["No, no!"] No one could deny that. The charges were originally made in articles which appeared in *The Times* newspaper. Now, his hon. and learned Friend had said that the Government had adopted the charges, and made themselves accusers by instituting these proceedings. The Government had instituted no proceedings at all. The appeal to the Government proposed that proceedings of a particular kind should be instituted for the discovery of the truth in this matter. They believed that the proceedings which were proposed would not effect a satisfactory investigation of the matter. As he had said, he was sorry that the denial which the Government had made was not more fully accepted than it had been by the hon. and learned Gentleman; but he repeated in the most distinct way that the Government did not originate the charges, and that they had not made themselves responsible for them. They were not, and did not mean to be, accusers in this matter. What they had done was to offer a tribunal which should, as they believed, do full justice, and give satisfaction to all parties by ascertaining the truth. It appeared to him that the arguments of the hon. and learned Gentleman would have been more properly used upon the Motion for the second reading of the Bill; and, moreover, they had travelled over ground which had been traversed on another Amendment, and hon. Members could hardly expect the Government to reply to them again.

MR. SHAW LEFEVRE (Bradford, Central) said, that this Amendment was one of the most important that had been moved to the Bill. He was one of the few Members of the House who had read through the speech of the hon. and learned Attorney General, and he ventured to say that the speech of the hon. and learned Gentleman contained hundreds of allegations against persons other than Members of the House, and what they had to consider was whether these allegations should be submitted to the proposed tribunal. The hon. and learned Gentleman the Solicitor General had stated that the Bill was drawn up to meet the case of hon. Members below the Gangway. But those hon. Members asked that there might be a Committee of the House instituted to investigate their case; they did not ask that the cases of other persons should be inquired into in addition to their own. What hon. Gentlemen on those Benches said was that it would not be fair to include other persons in the Bill who were not Members of the House, and who could not reply to remarks made with respect to them. The Attorney General said—and he would quote this as an illustration—

> "I will next refer to a case at Woodford, which shows that there has been continuity of action between the Land League and the National League. It has been proved over and over again in the House of Commons that the Land League and the National League were practically the same. Now, at Woodford, in Galway, on December 18, 1885, a meeting was held, and John Roche and Father Egan recommended Boycotting. After some of Father Egan's remarks there were cries of 'Finlay.' This Finlay had been a soldier, but was then a process-server. John Roche said—'The landlords had their "Balaclava" serving processes, but that the people would have their "Fontenoy."' On the 26th of December, 1885, the windows of Finlay's house were broken. On the 9th of January, 1886, he became strictly Boycotted, and on the 3rd of March, 1886, he was shot dead."

Now, the implication was that one sentence in the speech of Mr. John Roche, made on the 18th September, was the cause of the murder of Finlay three months afterwards. Did hon. Members opposite really believe that to be so? [*Cries of* "Yes!"] He (Mr. Shaw Lefevre) happened to know something about this John Roche; he had made inquiries about him. It appeared to him that Mr. John Roche was one of the "other persons" included in the Bill. That was an illustration of the kind of cases which would be tried before the tribunal, and it would be extremely hard to bring people of the kind forward, and put them to the enormous expense of defending themselves with respect to matters which were known to all the world, and on which they might have been prosecuted at the time. They were known to the authorities, who might have brought them before the tribunals of the country. [*Cries of* "Question!"] It appeared to him that the remarks he was now making were, if he might say so, perfectly relevant to the Amendment before the Committee.

THE CHAIRMAN said, they were perfectly relevant to the case of other persons being brought before the Committee; but he had understood the right hon. Gentleman to say that he was going further.

MR. SHAW LEFEVRE said, it was extremely hard that cases of this kind should be tried before the Commission. But there were very many other cases mentioned, all of which were known to the authorities, and which might have been tried before the tribunals of the country at the time that they occurred. He asked whether such cases as that were to be tried under all the disadvantages of their being brought forward in this country, where the parties concerned would have no opportunity of being heard by counsel? In the particular case of Mr. Roche, he undertook to say that he had not the means of appearing before a tribunal by counsel. He knew that the poor man had been ruined in health and fortune from having been sent to prison three times under the Coercion Act most unjustly. [*Cries of* "No!"] He was using this argument so that no injustice might be done by bringing such cases before the Commission. There were, at least, 100 charges of the hon. and learned Attorney General, every one of which was similar to that he had mentioned. He believed that there were many other causes for these murders and outrages; and if anyone would look into the history of Ireland, they would, unfortunately, find that whenever there had been a bad season, and whenever landlords had been evicting their tentants, agrarian murders had taken place, and he had no doubt that the same cause might have acted in the cases referred to. But he asked whether the Commission was to go into a historical inquiry as to the causes of agrarian crime during the last four or five years in Ireland? If so, it seemed to him that the inquiry was an entirely unlimited one, and could not be conducted without a great deal of injustice to the members of the various Land Leagues, which were practically charged with participation in murder. But when hon. Members looked at the statements of the hon. and learned Attorney General, they would find innumerable cases of the same nature. He believed that the House desired, and that the country desired, that an opportunity should be given to Members of the House to have the charges against them tried and sifted to the bottom; but he did not believe the country wished that the Commission should go into a vast number of other cases, most of which were fully known at the time they occurred, and might have been tried before the ordinary tribunals of the country. For his own part, he was most desirous that there should be a full inquiry into the conduct of Members of that House. He believed that to have been the real object of the agitation made by the hon. Members in question when they originally asked for a Committee of the House. They were quite content that their conduct should be inquired into by a tribunal, but they did not think it would be just or right that there should be an inquiry into the enormous number of other matters which had occurred in Ireland within the last four or five years.

MR. T. P. O'CONNOR said, he thought the reply of the hon. and learned Solicitor General to the hon. and learned Gentleman who had moved the Amendment (Sir John Simon) was not quite respectful to the Committee, because he (Mr. T. P. O'Connor) ventured to say that the hon. and learned Gentleman's Amendment was of the most important kind. He would point out that the hon. and learned Solicitor General made no attempt—in fact, he disclaimed making any—to answer the arguments of the hon. and learned Member for Dewsbury. He said the matter had been dealt with already, and required no further attempt to argue it on his side. That, he (Mr. T. P. O'Connor) ventured to say, was entirely inaccurate. On the 12th July the right hon. Gentleman (Mr. W. H. Smith) announced the intention of the Government with regard to the Bill; and his statement was confined entirely to a Bill relating to Members of Parliament. The right hon. Gentleman now said that he meant to have expressed in it the inclusion of other persons. It was a very great pity that the right hon. Gentleman's phraseology did not coincide with his intentions, for he allowed the House to believe for 24 or 48 hours that the Bill was the Bill which hon. Members asked for, in order that the charges against Members of Parliament might be inquired into.

[*Second Night*]

It was a very curious circumstance that the interview with the proprietor of *The Times* took place in the interval between the first announcement of the Bill and the amended announcement. It seemed to him, having regard to the tactics of *The Times*, that it was, at least, a most extraordinary coincidence that the right hon. Gentleman——

MR. W. H. SMITH: I beg to say that that is perfectly inaccurate.

MR. T. P. O'CONNOR said, the right hon. Gentleman might have allowed him to finish his sentence. What was the date of the interview which took place? He understood that the statement of the right hon. Gentleman was made on Thursday, the 12th of July; that the interview took place on the following day, and that it was on the following day that the House heard of the inclusion of the words "and other persons."

MR. W. H. SMITH: That is entirely inaccurate.

MR. T. P. O'CONNOR said, he did not object to the right hon. Gentleman's interruption; but he thought the more orderly and intelligible course would be for him to stand up and correct the statement made. He should be quite willing to accept the correction. Whether the right hon. Gentleman was influenced or not he would not say, but would point out that the second draft of the Bill was not that which the right hon. Gentleman at first announced to the House. That announcement was first made to the House on Thursday, the 12th of July, and he would call attention to this—that on Friday, the 13th of July, an article appeared in *The Times*, which said—

"But since the proposal has been made on behalf of the Government——"

What proposal? Why, that he was alluding to, for an inquiry into charges against Members of Parliament, and them alone. *The Times* continued—

"We, at least, are prepared to accept it, provided it is so framed as to subject to investigation the whole mass of facts involved in our charges against Mr. Parnell and his Party and brought before the Court, although, unfortunately, not examined in the course of Mr. O'Donnell's recent action."

And so they had *The Times* newspaper accepting the original draft of the Bill—namely, that which dealt entirely with the charges and allegations against Members of Parliament. Again, the title of the Bill was, "Members of Parliament (Charges and Allegations) Bill." If the Bill was to be enlarged in the direction which the words "and other persons" imply, it was clear that this title was an entire misnomer. It was a Bill directed against a political organization, and a movement in which a certain number of Members of Parliament were engaged, and millions of other people as well. Such was the history of this extraordinary proceeding on the part of the Government. He now turned to another article of *The Times*, which appeared on the 17th of July, and in which it was said—

"We have only to say, so far as we are concerned, that the proposal which we unreservedly accepted last week, waiving our rights as ordinary citizens, is that which the Government placed on the Paper, and no other."

It must be observed that the language of the Bill is to inquire into—

"Charges and allegations made against certain Members of Parliament and other persons."

And the article went on to say—

"That implied that the subject of investigation, so far as other persons are concerned, is their conduct in relation to Mr. Parnell and his Parliamentary Colleagues."

That was the first allusion to the fact that this inquiry included Members of Parliament and other persons. If the Government were willing to limit the inquiry, in accordance with the dictum of *The Times*, so as to confine the inquiry into the charges against "other persons," to the connection of such other persons with the charges against hon. Members, it would not be necessary to retain the words "other persons," at all. Charges and allegations against Members of Parliament could not be examined unless there was some examination into charges against other persons who had been associated with them. After the speeches which had been delivered from the Treasury Bench, he could not put so innocent or limited an interpretation upon the meaning of the words as was placed upon them by *The Times* itself. He did not believe the Government intended to confine the investigation as to "other persons" to those who had been associated with the Members of Parliament. What the Government wanted was a rambling and roving investigation, which would take in numbers of persons

who had not been associates of Members of Parliament at all. Such a purpose was, in the first place, entirely alien and contradictory to the original proposal of the Government; and, in the second place, it was grossly unfair and unjust to the Members of Parliament involved. Why should they be delayed in proving their innocence of the charges made against them by an inquiry into a Boycotting case in Kerry, or a murder somewhere else, or the charges made by *The Times* against Mr. John Roche? He believed the charges against Mr. Roche to be most unjust and unfounded. But what had the Irish Members to do with the charge against him? He was, in Ireland, subject to the ordinary law. He had been subjected also to the extraordinary law, having been three times in gaol. He had been almost ruined in fortune and in health. He had escaped the fate of John Mandeville by the very narrowest and closest shave. It was quite possible that he had not entirely escaped, as it was said that his life was in the greatest danger still. He (Mr. T. P. O'Connor) hoped the Chief Secretary for Ireland would not, however, have against him a second crime like that connected with the death of John Mandeville. What the Irish Representatives were concerned with was the charges against Members of the House of Commons. He conceded to the Government the right to investigate charges against other persons in their relation to the charges against the Irish Members; but he held that they could do so without the use of those words at all. If the Government would agree to limit the investigation to the charges against Members of Parliament, and against other persons in relation to the charges against those Members, the discussion on the Amendment would stop in the course of five minutes. The right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) and other hon. Members had frequently referred to the Sheffield rattening inquiry. He (Mr. T. P. O'Connor) had before him the terms of Reference with respect to that inquiry. Its main purpose was to inquire into the rules and organizations of trade societies and other associations, and power was given to the Commissioners to suggest any improvements that might be made in the law on the subject. The Sheffield Commission was avowedly one to inquire into an organization; but this Bill had had its birth in charges against individual Members of that House. Under these circumstances, it was the falsest of false analogies to defend the Bill, which arose out of charges against persons, by reference to a Commission which was an inquiry into a great organization. The Sheffield Commissioners had power to suggest means of improving and bettering the relations between employers and employed. Would the Government adopt a similar provision in the present case, and allow the Commissioners to inquire, not merely into the Land League and the National League, but into the land history of Ireland? He would ask the First Lord of the Treasury (Mr. W. H. Smith) to candidly consider whether it was fair to ask the Irish Members to consent to an investigation born of charges against particular Members, but spreading over a political movement 10 years in duration, and to shut out their counter case, which was based upon the landlord tyranny of Ireland? Let the Government follow the analogy of the Sheffield Commission, and inquire not merely into the charges of intimidation against the poor, but into acts of tyranny and oppression on the part of the rich and powerful. Let them give the Irish Members an opportunity of making out their counter case, and showing that, if there had been acts of lawlessness in Ireland, they had been the result of no organization whatever, but had been the children of the terrible tyranny, oppression, and plunder to which the Irish people had been subjected for a long period of years. He thought he had proved his case, and had shown that if the Government were to be true to their own first intentions in that House, they would knock out the words "other persons" either as superfluous or mischievous.

MR. W. H. SMITH rose in his place, and claimed to move, "That the Question be now put."

THE CHAIRMAN withheld his assent, and declined then to put that Question.

Debate *resumed*.

MR. T. M. HEALY said, he could quite understand the anxiety of the right hon. Gentleman the First Lord of the Treasury to close the discussion. He could quite understand the results

upon the right hon. Gentleman's conscience of his interview with Mr. Walter, and his apprehensions lest that matter should be further probed during the course of the debate. He asked the right hon. Gentleman what was the date of his interview with Walter? The right hon. Gentleman said they must be fair to *The Times* and Walter. He would ask the right hon. Gentleman whether it was fair to Walter to suggest that, though he was influenced in no degree by Walter's visit, yet Walter visited him for the purpose of corrupting him——

THE CHAIRMAN: I must ask the hon. and learned Member not to abuse the extension of time that has been given, but to address himself to the Question.

MR. T. M. HEALY said, the point of his observation was this. His charge was that on a given day the words "and other persons" were added to the Bill, and he sought for an explanation of the enlargement of the ambit of the Bill in the interview of the right hon. Gentleman (Mr. W. H. Smith) with Walter. The right hon. Gentleman, in his first address to the House on that subject, never mentioned "other persons;" but, on a particular date, they heard of those words having birth in the Minerva-like brain of the right hon. Gentleman. Under these circumstances, he asked who begot those children of the right hon. Gentleman? He (Mr. T. M. Healy) said they were begotten by Walter in conjunction with the right hon. Gentleman. [*Ministerial cries of* "Divide!"] He supposed that was the way they would be treated by the Commission. Gentlemen opposite were setting an example to their Judges. He supposed that the witnesses brought forward by those who were accused would be shut out, and that charges would be made behind the backs of those against whom they were directed. In response to the exhibition of British fair play which had just been forthcoming, he asked the right hon. Gentleman who had illustrated his view of fair play by moving the closure to tell the House what was the object of his interview with Walter? Did Walter call to inquire about the right hon. Gentleman's health, or to ask how the sale of *Parnellism and Crime* was getting on? On a given day, the date of which approximated with the visit of Walter, this idea about "other persons" took its rise in the right hon. Gentleman's brain. The idea was the idea of Walter, but the Bill was the Bill of the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) and of hon. Gentlemen and noble Lords who constituted the Liberal Unionist Party. The noble Marquess the Member for Rossendale (the Marquess of Hartington) and others must know that the Irish Members accepted the Bill in good faith, because it was confined to Members of Parliament—and surely the crimes of 86 men were a pretty large order. [*Ministerial Cheers.*] Hon. Gentlemen opposite cheered that; then why did they not stick to the Nationalist Members? Would the jocose hon. and gallant Member for North Armagh (Colonel Saunderson) vote for the Amendment? That hon. and gallant Gentleman admitted that the crimes of the Nationalist Members were a sufficient matter to be inquired into. When the Nationalist Members found the Unionist Party declaring themselves willing to give them that inquiry, and when they asked what was Walter doing in the closet of the right hon. Gentleman the First Lord of the Treasury, was it to be supposed that they would allow themselves to be put off with the explanation that he was inquiring into the circulation of *The Times?* The right hon. Gentleman the First Lord of the Treasury had got up and made explanations which he (Mr. T. M. Healy) regarded as shuffling. The right hon. Gentleman had said things beneath his breath; he had made a thousand contortions of uneasiness, and he had wound up by attempting to apply the closure. He (Mr. T. M. Healy) asked the right hon. Gentleman, if he was not ashamed of his interview with Walter, to tell the Committee what took place at it. He would suggest, in order that they might get at the bottom of this conspiracy about "other persons," that a clause should be inserted in the Bill giving the Commissioners power to find out how those words got into it, and how the counsel for *The Times* in the case of "O'Donnell *v.* Walter and another" obtained possession of certain documents which were supposed to be in the Government archives. The right hon. Gentleman the First Lord of the Treasury

posed in that House as the old Roman father—full of frankness and full of the milk of human kindness. Let them confer on him all the great virtues to which he laid claim; let them acknowledge that, with the spiritual eye, they could see a halo and a nimbus round his respected features. He asked the right hon. Gentleman to tell the Committee on what date he agreed to the insertion of the words "other persons." There was, at the present moment, a deep shadow resting upon Mr. Walter, of *The Times*. Either he went to the right hon. Gentleman the First Lord of the Treasury, and asked him to insert "other persons" in the Bill, or he did not. If his visit was made with the purpose of influencing the right hon. Gentleman, he (Mr. T. M. Healy) could understand why the right hon. Gentleman refused to state its object. If, however, it was an innocent visit, and had no reference to that Bill, the right hon. Gentleman would have no difficulty in making a clean breast of it, and stating what occurred. What would be said of parties in that House who were supposed to be incriminated if they went sneaking to the right hon. Gentleman the First Lord of the Treasury and asked to be let off by reason of ancient friendship, or by reason of the sense of favours to come—thirteen to the dozen, or fourteen to the dozen, or otherwise? It was a remarkable thing that the right hon. Gentleman the First Lord of the Treasury should have received Walter under the circumstances of the case. Walter was in the position, as far as the Nationalist Members were concerned, of an accused criminal. He was accused of perjury; he was accused of conspiracy; he was practically accused of getting up crimes like those of Titus Oates. And where did he find harbour, refuge, and counsel? In the chamber of the First Lord of the Treasury. If Walter did not know he had a friend and counsellor in the right hon. Gentleman, why did he visit him? There could have been no good or proper motive in the visit. It must have been a malignant visit. He (Mr. T. M. Healy) said nothing about the state of the mind of the right hon. Gentleman the First Lord of the Treasury, but, as far as Walter was concerned, the visit must have been undertaken with a bad and evil motive. The Party opposite were not ashamed to make grave charges of murder against Irish Members whom they endeavoured to shout down. ["Oh, oh!"] Those who made the charges and assisted the authors of those charges were not ashamed to gag those who were accused, by the application of the closure, in order to shut out discussion of their own doubtful acts. ["Oh, oh!"] Leaving that point, he came to another suggested by the Solicitor General and by the right hon. Member for West Birmingham. It was said—[*Cries of* "Divide!"]—if he was interrupted by the closure, he would accept that as a main force procedure, but meanwhile would talk so long as he had anything to say. It was said that Irish Members were willing last year that these matters in relation to other persons should form a subject of inquiry before a Committee. This was the view taken by the right hon. Gentleman the Member for West Birmingham, but that right hon. Gentleman had wholly misconceived the position and the incidents of last year. The right hon. Gentleman had been such a success as a Fishery Commissioner that he did not hesitate to pronounce judgment in reference to all "fishing" Commissions. ["Oh, oh!" *and* "Question!"] He said that last year there were no proposals to limit the inquiry when certain allegations were made regarding the hon. Member for East Mayo (Mr. Dillon), now in gaol; but what were the facts? A debate was started by the hon. Baronet the Member for North Antrim (Sir Charles Lewis), and when he had made his Motion the Solicitor General carried an Amendment declaring there was no Breach of Privilege, and to this an Amendment was moved by the right hon. Gentleman who led the Opposition to refer the allegations against the hon. Member for East Mayo to a Select Committee. It was a wholly different set of facts. The hon. Baronet the Member for North Antrim had moved that the allegations constituted a Breach of Privilege——

THE CHAIRMAN: This is very remote from the Amendment before the Committee.

MR. T. M. HEALY said, he would, then, come immediately to the point. He had been considerably impeded by interruptions from hon. Gentlemen opposite. What he was endeavouring to say was that it was not the case that last year they were willing to refer vague

and indefinite charges to a Select Committee. What they were willing to do was to refer certain specific matters and allegations respecting themselves; they never suggested that a Committee should inquire into charges affecting A, B, and C. In reference to the unfairness of introducing these words "other persons," he would take an illustration applicable to the right hon. Gentleman the Member for West Birmingham himself; it was a convenient way of bringing to the mind of the right hon. Gentleman the feelings of Irish Members, if such treatment were meted out to him. Some two or three years ago allegations were made against the right hon. Gentleman by the noble Lord the Member for Paddington (Lord Randolph Churchill) that he had produced certain false affidavits. Supposing the right hon. Gentleman had asked that his conduct should be investigated by a Select Committee, and the Government had said—"We will grant a Select Committee, but we will join with the Reference to your action Instructions to investigate the character of the persons alleged to have made the false affidavits"—the persons in question were, he believed, a certain number of prize fighters at Aston—would Members of the House have cared twopence about the investigation into the character and offences of the Aston prize fighters? The right hon. Gentleman would naturally have denounced the proposal, and the House would have discarded it. Take another illustration. Supposing there had been a pamphlet issued containing serious allegations against the right hon. Gentleman the Member for West Birmingham, and suppose that in the allegations other members of his family were included, and that the allegations were issued under high authority, say, for instance, that of the Judge Advocate General, and suppose the right hon. Gentleman should say that these charges and allegations were made by a political opponent, and for political motives, and ask for an inquiry, and to this the Government were to say—"Oh, no; we do not want to inquire what you did, but we want to know what your brother-in-law did, or your firm did, what 'Nettlefold' or the 'and Co.' did," the right hon. Gentleman would at once challenge the fairness of such a proposal as that, and even his most prejudiced opponent would be with him, and would repudiate the idea that the right hon. Gentleman was responsible for the offences of other members of his family. But what was now the position of the right hon. Gentleman? He said—"We want to get at the truth, we want to get at the causes of crime." But why was that not done before the publication of these forged letters? Why seize upon the demand for an inquiry into the authenticity of these letters to investigate everything in the history of the Land Movement? This was not treating Irish Members with fair play or candour; it was not treating them as other Members would be treated were they attacked in a similar manner; but it was treating them as Irishmen had always been treated, and always would be treated to the end of the chapter until Irishmen had the management of their own affairs. They were treated as inferiors, as victims to be worried, and every opportunity was availed of to throw any aspersion upon their political reputation. It was vain to expect fair play; the Government played with loaded dice after secret conference with Walter, the alleged forger. He challenged the Government to investigate their whole lives and political transactions so far back as they liked; but no, the Government would have inquiry associated with other persons unnamed, some in America, some at the Cape of Good Hope, some living, some dead; he did not know where inquiry was to stop. It would include, perhaps, the late Mr. E. Dwyer Gray and the conduct of the newspaper with which he was associated. The respected gentleman was dead; but no matter, the inquiry might embrace living and dead, every country and all time. Was this British generosity and fair play, to slink off from a challenge into this vague allusion to other persons? He cared not for "other persons." If other persons had done wrong, there were laws to punish them. What he took to be the motive and mainspring of this Bill was that the House was concerned in the honour of its Members. When their characters were impugned, they asked for the chance of clearing them; but no, the Government were off on an inquiry into something that happened at Loughrea, at Lough Mask, or a thousand other things with which

time would be taken up. The main purpose of the Bill was changed on that fatal interview between the First Lord and the man who published the forged letters which led to the introduction of this extraneous foreign matter. The First Lord had now the opportunity he said he was going to give Irish Members before the Commission; let him now, instead of moving the closure, get up and clear his own character. Their characters, forsooth, they were to have an opportunity of clearing along with those of "other persons;" but the right hon. Gentleman had heard what their opinion was of his interview with Walter; let him be frank and honest, and, standing at the Table for once without thinking of the closure, clear his own character.

MR. PARNELL moved to report Progress. He did so on the ground that the House had now been sitting for over 11 hours, and had arrived at a period of the night when the most important Amendment of the hon. and learned Gentleman, an Amendment directed to one of the leading provisions of the Bill which dealt with a matter of great moment, could not be profitably discussed. He did so, also, on the ground that the Amendment of the hon. and learned Member was similar to one he had put upon the Paper himself, but which, owing to the order in which the Amendments were arranged on the Paper, he could not move, and, consequently, he would be obliged to take the decision of the House on the Amendment of the hon. and learned Member; but he and his Colleagues were entitled to place their views before the Committee at a time when they were physically capable of doing so. He was justified in the request that they should not be asked to proceed further with the discussion of the grave subject-matter of the Amendment. During the three quarters of an hour occupied in the discussion these arguments had increased in weight; he protested against proceeding further with the Amendment, and claimed for himself and his Friends who were directly concerned, the right of speaking in daylight on this important subject.

Motion made and Question proposed, "That the Chairman do report Progress, and ask leave to sit again;" but the Chairman, being of opinion that the Motion was an abuse of the Rules of the House, put the Question thereupon forthwith.

The Committee *divided*:—Ayes 168; Noes 219: Majority 51.—(Div. List, No. 254.)

Question again proposed, "That the words 'and other persons' stand part of the Clause."

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) begged to move that the Chairman do now leave the Chair. He did not think he was saying too much when he said that the figures just read from the Chair would indicate to the Government not only the propriety but the necessity of reconsidering their position. The Government would see that a minority not far removed from a moiety of the House was entitled to respectful consideration. He suggested that the Committee had to deal with an entirely novel, even an entirely unprecedented proposal; the House had been sitting for 11 hours in deliberations that had tried the nerves and tempers and also the physical powers of every Member, more especially Irish Members, who were deeply concerned in the issue. Moreover, in nine hours the House would resume its sitting, and the interval would afford but the minimum of natural rest. He ventured to remind the Committee of the forbearance of Irish Members in these debates. ["Oh, oh!"] The debate on the second reading was short, and only three Irish Members took part in it, and that stage was taken without Division. The forbearance of hon. Members was favourably commented upon by right hon. Gentlemen opposite. The progress made, considering the novelty and importance of the subject, the variety and moment of the questions involved, was as much as the Committee could reasonably expect. They had debated several important points in connection with the question, and he did not believe that there had been any undue prolixity. They had determined six cardinal points; and even if their good name, their honour, and their Membership of that House were not immediately and directly concerned, they could not consent, in justice to their constituencies—before which nine out of every ten of the hon. Members opposite would not dare show their face—to proceed any further with the debate

that night. They owed it to their constituents and to their country, which trusted them, as well as to their own good name—not to proceed further with that Bill at that hour of the night; and he believed that public opinion would justify them in the course they were pursuing.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Sexton.*)

THE CHAIRMAN: The question is one of great difficulty and responsibility. On this Motion I have to make two observations. In the first place it has been said by the hon. Member himself that he does not so much object to the inclusion of "other persons" so far as they are charged in connection with Members of Parliament. This has also been said, more than once in the course of the debate, by other Members. If the Committee now took a vote on the question of adding "other persons," it would still be open to it to limit the addition to persons acting in complicity with Members, or to add the words which stand in the name of the hon. Member for Dundee (Mr. E. Robertson). I have also to point out that in guarding and respecting the rights of the minority it is essential to consider the use which the minority make of their opportunities of debate—whether they show regard for the economical distribution of time. Taking these two questions into consideration, I am of opinion that I ought not to put to the Committee the Question, "That the Chairman do now leave the Chair."

MR. T. M. HEALY said, if they were to decide the Amendment that night, he would offer no further objection, although he had not been to bed since Sunday, and he had been travelling uninterruptedly in order to reach the House. But he did contend that they were entitled to an answer to their arguments. A march through the Division Lobbies did not answer them. They had proposed certain questions to Her Majesty's Government, which had great and undivided responsibility in the matter. They had asked what was to be the particular form and mode of inquiry; they had asked with regard to the manner in which the term "other persons" had been conceived; they had asked an explanation from the Government of the circumstances which drove them from their original purpose, and he contended they were entitled and bound to demand an answer. He denied that they were a minority in the House; on the contrary, they were a majority; they were a majority of the Irish nation. The Government had proposed the Bill for the purpose, if they could, of extinguishing the rights of the Irish people, for the purpose of drowning their characters and records in muck, and, if possible, in blood. The object was to stain their characters and destroy their movements, by bringing in the acts of extraneous persons; and under those circumstances they were entitled to demand from the Government an explanation of their change of front. The time of the House was being occupied by the urgent necessity of securing an answer to their questions. Was it satisfactory to his Colleagues and himself to see the First Lord of the Treasury mutter something, or to hear the howls of hon. Members opposite? Was it satisfactory to hear the right hon. Gentlemen the Leader of the House shout out—"That is not true" in such a manner as to draw down on himself a rebuke from the Chair? No, it was not a sufficient answer for the Representatives of the Irish nation, and if they were consuming English time it was simply because necessary explanations were refused. Thanks to the Government, what was going on in the House at that hour was not likely to reach the country. They were debating in a sort of padded chamber, and no adequate report of the proceedings could be published. They were not to be satisfied with the extinguishment of their votes in the Division Lobby; they demanded the application of reason to their arguments. The First Lord of the Treasury had declared that this was an inquiry which the Nationalist Members had asked for, and it rested with them to say whether they would accept or reject it. His reply was that the Government proposal would necessarily leave their characters at the risk of every dilatory application to be made by the counsel for *The Times* with regard to the acts of unknown persons all over England, Scotland, Ireland, America, and Australia. It was impossible for them to accept such conditions; their characters were at stake, and they could not rest under

that cloud of obloquy. The counsel for *The Times* had said that nothing would drag from them explanations as to how they got those forged documents, and so, if on the first day of the inquiry Mr. Walter was committed to prison for refusing to answer questions, he would be hailed as a martyr to the Unionist cause. The Judges would be unable to proceed any further, the main object of the inquiry would be closed against them. In any Court of Law, if the case were being tried before a jury, they would have been entitled, on the refusal of the chief witness to give evidence showing the source of his information, to claim a verdict in their favour; but now, they were to be confronted with witnesses from every convict gaol in England and in Ireland where there were malefactors or criminals, and these men, on the promise of life or liberty, or even money, were to swear their characters away. In view of the fact that there had been secret interviews between Mr. Walter and the Government, he ventured to say that a journal which would not hesitate to suborn testimony, and pay £1,000 for such testimony, would also not shrink from suborning additional false testimony to back up their case. The Government had receded from their original purpose, and, perhaps, those who were anxious to maintain the Union, who were anxious that the Irish Members should be retained in the House, and who were anxious to secure the dignity of the House, would find some difficulty in approving the conduct of their own Leader in holding that secret and extraordinary interview, an interview between the chief criminal, or, as they alleged, the forger of the letters and the forger of the Bill—perhaps he had better substitute the words, the framer of the Bill. He presumed the Government would not expect to go beyond that particular branch of the Bill at that sitting; and that being so, it could not be upon any plea of want of time that they refrained from fully discussing the Amendment. They had from that hour until 12 o'clock in which to explain their interviews with Mr. Walter; and, so far as the time and convenience of his Friends and himself were concerned, it would confer a great pleasure upon them to wait and hear the explanation which they were entitled to receive. He was not anxious, for his own part, to put an end to that discussion; but perhaps hon. Members opposite were anxious to secure that progress of Business which would lead to their dispersement to their beds. However, the self-sacrifice of staying up in order to secure adequate discussion must be a very small matter to English Gentlemen. He would end as he began. With regard to a matter affecting the names and fortunes of 86 Members of that House, constituting five-sixths of the Representatives of the Irish people, he submitted it was not too much to ask what was the secret influence which led the Government to deflect from their original proposal, and to send their Judges on a wild-goose chase in New York or Melbourne, and perhaps to occupy for years and years the time of those Judges in dealing with the cloud which had been cast upon the reputations of Irish Members? The Government might continue to stay upon those Benches, and draw their very sufficient salaries for their very inefficient services, and they might continue to commit in the meantime in Ireland those crimes which had characterized their career. They had already sent one victim to his grave; they had compelled another, out of remorse, to put an end to his life. Under those circumstances, the Nationalist Members called for and demanded the explanation to which they were entitled, and he submitted that the House in honour and in conscience ought not to disperse until that full explanation had been given.

MR. GOSCHEN: There are some speeches conceived in such a tone and in such a vein that they ought not to be answered by anyone with a sense of self-respect. How could my right hon. Friend, with any sense of self-respect, repeat his statements after the hon. and learned Member for North Longford, with the applause of a certain section of this House, has treated those statements in the manner in which he has ventured to do so. My right hon. Friend stated in the strongest possible terms, which were not misunderstood, I believe, by the great majority of hon. and right hon. Gentlemen opposite—he stated, in the clearest terms, that he had had no communication whatever with the editor of *The Times*——

MR. LABOUCHERE: He never stated that.

MR. GOSCHEN: He stated that he had had no communication——

MR. LABOUCHERE: No, no.

MR. GOSCHEN: Considering how the hon. and learned Member for North Longford spoke—a speech which I can scarcely characterize in Parliamentary language—and considering the patience with which the insults which were heaped upon my right hon. Friend were listened to, I should have thought that decency would have required that at least, after the appeal made to us to give an answer, that answer would have been listened to without interruption. My right hon. Friend has stated that no communication with Mr. Walter had, in the slightest degree, borne upon the introduction of these words. [*Cries of* "Oh!"] Hon. Members scoff at that; they scoff as much as to say that we are telling falsehoods. ["Hear, hear!"]

THE CHAIRMAN: Order, order! If I could identify any Member who received that declaration with approval, I should at once Name that Member.

MR. GOSCHEN: My right hon. Friend declared, in the strongest possible terms, that no communication whatever with the editor or proprietor of *The Times* had borne in the slightest degree on the insertion of these words. Now let me state to the House, with regard to these words, as to which the hon. and learned Member for North Longford has made two long speeches, that they were in the original Reference settled by the Cabinet on the first day when my right hon. Friend introduced his Notice to the House. They were in the Notice which was given on the Friday, at the request of the right hon. Gentleman the Member for Mid Lothian. It is not my right hon. Friend, it is the Cabinet, that settled upon those words, and that without any communication with the proprietor of *The Times;* they were in the original proposal, and, therefore, the whole of those two long speeches of the hon. and learned Member for North Longford fall entirely to the ground, and there is not the shadow of a foundation for the attacks and insults which were contained in them.

MR. PARNELL said, the right hon. Gentleman who last spoke talked about decency; yet he was a Member of the Government which had denied that right to his fellow-Members, the right to know what the accusations against them were, and the right to know who were accused. The right hon. Gentleman had, however, lifted the veil a little upon the history of the introduction of these words, and he had made his position worse than it was before. He had admitted, in terms for the first time, that it was at the Cabinet meeting following the reply of the right hon. Gentleman to his (Mr. Parnell's) question, that the question of these words being added and the extension of the Reference was decided. But who attended at that Cabinet meeting out of his place and out of order? What right had the counsel for *The Times* to be there? Let them have no further equivocation on that matter. It was odd, it was singular—no, it was not singular—they could not get a straightforward statement from any of the right hon. Gentlemen opposite. They could not get from the First Lord of the Treasury a statement or a definite assurance which did not subsequently require emendation from the right hon. Gentleman the Chancellor of the Exchequer; they could not get any distinct information with regard to the matter which did not require further immediate explanation from him. That was his sense of decency. That was the "decency of debate!" That was the way in which minorities were to be treated! That was justice and the desire for fair play! That was the assumption of judicial impartiality—to call in the aid of the counsel to *The Times* to a Cabinet meeting for the purpose of adding to the Reference to the Commission! He should be ashamed, if he were contending against a Party, or a man twice his own strength, to stoop to such dishonest expedients; but contending against a minority, and against whom the Government had the advantage of six-fold numbers, against men who were strangers in this country, who were ambassadors, as it were, to stoop to such miserable dodges and expedients! Oh, it was poor, it was mean, it was cowardly. It was loading the dice, it was poisoning the daggers. They had to contend against men guilty of such things, and who would stop at nothing in the attempt to crush Irish Representatives, and ruin the hopes of a nation they represented. But they were not afraid of them. So when the end of this long story was reached—and it

would now have to be a long story—on their side would be the victory, and on the side of the Government shame and disgrace.

Question put, "That the words 'and other persons,' stand part of the Clause."

The Committee *divided:*—Ayes 222; Noes 166: Majority 56.—(Div. List, No. 255.)

Motion made and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. William Henry Smith,*)—put, and *agreed to.*

Committee report Progress; to sit again *To-morrow.*

BUSINESS OF THE HOUSE—SCOTCH BUSINESS.—OBSERVATIONS.

MR. HUNTER (Aberdeen, N.) said, he regretted the absence of the First Lord of the Treasury, but hoped some responsible Member of the Government would answer the Question he had to put. He had heard that there was an intention to propose a Saturday Sitting, and to devote that Sitting to Scotch Business. If that were so, he took the opportunity at the earliest moment to enter his most emphatic protest against any proceeding of the kind. Scotch Members had been detained in the House month after month attending to Business wholly connected with England, but not until the fag end of the Session was a day devoted to Scotch claims. After continuing an exhausting process of late hours, it was now actually proposed to take away the only day of leisure. That was only part of his complaint against the gross mismanagement of Scotch Business. Every subject of interest to Scotland had been ignored by the Government. When Business affecting the farmers of Scotland, who were suffering great distress, was brought before the House, and a measure was proposed to prevent a wider distress, it was blocked from the other side of the House. Every attempt made to improve the condition of the crofters was systematically blocked, while the Government miss-spent a few hundred pounds in sending 98 families from the country. The large fishing interest was suffering severely from the practice of trawling. An hon. Member on the other side introduced a Bill for the limitation of trawling, and he (Mr. Hunter) also introduced a Bill with a like object; but the objection of the right hon. and learned Lord Advocate blocked his Bill, and another Member blocked the other Bill, and so another year would pass without an attempt to remedy one of the most trying grievances of Scotch fishermen. There was a measure in which Scotch Members took a great interest which in a former Parliament passed the House by a large majority and was thrown out in "another place," a Bill to provide for the expenses of returning officers at elections. Scotch Members were fortunate in the ballot, and secured a Wednesday; but the Government appropriated the day, and, instead of giving other facilities for the measure being discussed, allowed the Bill to be blocked for the remainder of the Session. The Government had produced no measure of general importance, with the exception of a bulky measure inherited from their Predecessors. It was a perfect scandal that the affairs of Scotland should be treated in that way. If there happened to be a Scotchman who doubted the necessity of having a Home Rule Parliament for Scotland, he should have been present on the previous night to see the way in which Scotch Business was treated, and the way in which speeches from Scotch Members were dealt with. The matter, he admitted, was of no interest at all to English Members, who were impatient at being detained in the early hours of the morning. Under the circumstances, he entered his most emphatic protest against a system utterly destructive of convenience of Members, of giving a Saturday Sitting at the tail end of the Session for the transaction of Scotch Business, and demanded from the Government a fair share of the time of the House.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he would report to his right hon. Friend the First Lord of the Treasury the observations of the hon. Member. He understood that there was an opinion among Scotch Members that Saturday would be a convenient day for the discussion of Scotch Business. He regretted that it had not been found possible to make more progress with Scotch Business, and assured hon. Members that there was no desire

on the part of the Government in any way to depreciate the importance of Scotch legislation.

MR. ESSLEMONT (Aberdeen, E.) said, there appeared to be some misunderstanding in the minds of the Government. He did himself, at an earlier period of the Session, refer to the opportunity that a Saturday Sitting might be given for Scotch Business, but that suggestion was only in relation to Scotch Bills in charge of private Members; he certainly did not expect that Scotch measures the Government desired to press would be relegated to a Saturday Sitting at the end of the Session. He believed that, in the suggestion alluded to, they would be consulting the interests of their constituents and the convenience of the Government; but, certainly, there would be good reason to complain if a Saturday Sitting were occupied with Scotch Government Business. For his own part, he would be willing to sacrifice any day in the interest of Scotch legislation; but that did not imply that Scotch Members would in any way be satisfied with the way in which Scotch Business had been treated. It was within the knowledge of the Government that Scotch Members cheerfully, or with the best grace they could, gave up a Wednesday they had secured at the early period of the Session, to enable the Government to pass the Rules of Procedure then before the House; but, having done that, they did expect some consideration from the Government in return. He hoped the right hon. Gentleman the Chancellor of the Exchequer would make such representations to his Colleagues as would secure something at least in the nature of an indemnification for the sacrifices they had made.

MR. WALLACE (Edinburgh, E.), as one of those who supported the suggestion of a Saturday Sitting to make progress with Scotch Business, explained that he certainly did not do so as in any way regarding it as a desirable way of treating Scotch Business; it was simply a fit of desperation, in the hope that if the Government would not give them something like fair treatment, they might secure some treatment at least. They were glad to be treated at all; it it was better to be maltreated than ignored. That was practically the position of Scotch Members in the choice of the alternatives before them. The whole matter was regarded as insignificant and contemptible by English Members and by the Government; or, if that was not their state of feeling, the Government contrived to produce that impression. The suggestion when made was received as usual with a howl of derision and contempt from the followers of the Government, who voted Scotch opinion down. Even last night, there was a painful recollection of the treatment Scotch matters received in his own humble person. He could not help remembering this, though his Motion was defeated by the right hon. and learned Lord Advocate with his myrmidons, Scotch opinion was two to one in its favour. There was one consolatory reflection that moved him when he threw out a suggestion for a Saturday Sitting, that probably on that day a considerable part of the Supporters of Her Majesty's Government would be away, amusing themselves, and there might be a possibility for once of the voice of Scotland having some small influence in the determination of Scotch matters. But he found it was vain to rely even upon that hope. He did not uphold Her Majesty's Goverment in the system of putting forward Saturday Sittings as the proper way of dealing with Scotch Business. It was an insulting way of dealing with Scotch Business; but he said again he would rather have Scotch Business treated thus than not at all; rather so, than that insult and injury should be combined by Scotch matters being neglected and altogether ignored.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, the hon. Member who raised this discussion had forgotten one important Scotch measure of great bulk that had occupied much attention. [MR. HUNTER said, he had mentioned it.] That measure of considerable bulk and volume had occupied the close attention of Scotch Members over its many details in Committee for 16 or 17 days. Good and permanent work had been thus accomplished, and the object of a Saturday Sitting was to meet the earnest desire of Scotch Members and bring this Bill to maturity. He reminded hon. Members that he had been urged to find a day for the purpose not later than the present week, and it had been impossible to obtain any day but Saturday. [An hon. MEMBER:

Why?] If the exigencies of Parliamentary Business did not require an Autumn Session, there would have been other time in the next six weeks available. But the time before the holidays was short, though there would be the months of November and December to carry Business to conclusion, and he hoped for the furtherance of that end they would be enabled to give a good account of work done on Saturday.

MR. CALDWELL (Glasgow, St. Rollox) said, the Bill to which reference had been made contained 500 or 600 clauses, and though much of it consisted of Consolidation Clauses, it was undoubtedly a measure of great magnitude and importance. It was not yet before the House, though it had been approved in Committee. It had not been before the Local Authorities with its material Committee alterations; but it ought to go before the people of Scotland to be considered during the Recess. It was simply ridiculous to attempt to dispose of such a Bill at a Saturday Sitting; it could only be done by passing the Bill *en bloc*, without any discussion at all. Last Session the Government gave a Saturday Sitting for Scotch Business, and it was understood that the time would be given to measures Scotch Members were in favour of; but, in fact, these measures were preceded by other measures to which Scotch Members were opposed, with the intimation that they must be passed before the others could be taken, a species of coercion against which he protested most strongly. Far better would it be to let this bulky Bill stand over for the autumn, than make an attempt to pass it *en bloc*, which would probably lead to its being talked out and other measures being blocked.

MR. EDWARD HARRINGTON (Kerry, W.) said, he claimed to have some interest in a Saturday Sitting, for, of course, it was the duty of all Members to be present, though he could not pretend to thoroughly understand the provisions of the Burgh Police Bill. Looking at its bulk of 17 ounces of paper, how it could be disposed of at one Sitting he did not understand. It was not often he found himself in accord with a Liberal Unionist, but he recognized the healthy tone of the hon. Member's (Mr. Caldwell's) protest against coercion. Certainly, it would be useless to have a Saturday Sitting for Business that could not eventually pass; it would be better to leave such over to the latter period of the Session.

DR. TANNER (Cork Co., Mid) assured the Government that if they took for Scotch Business a little of the time they were devoting to the consideration of *Parnellism and Crime*, Irish Members would take no exception to that course; but, on the contrary, would hail with satisfaction the appropriation of time to the solemn and substantial Scotch Bill which the hon. Member had referred to. Certainly, he, for one, took exception to these Saturday performances. Saturday performances were always badly attended. What usually happened was, that a certain section of Members were told off to attend and outvote Scotch Members, while a certain number of others formed a more or less attentive audience on the occasion. Bearing in mind the hours the House had been sitting during the week—though they were not so long as in former years—the Government would do well to forego their intention to hold a Sitting on Saturday, and utilize some of the time they were allowing to run waste.

MR. FIRTH (Dundee) asked, was it proposed to set down other Bills on Saturday in addition to the one mentioned?

MR. J. H. A. MACDONALD said, it was proposed to set down the Bail Bill, a short measure that had passed Committee.

MOTIONS.

CANAL DEVELOPMENT BILL.

On Motion of Mr. Philip Stanhope, Bill to enable Local Authorities to acquire, regulate, and construct Canals, *ordered* to be brought in by Mr. Philip Stanhope, Mr. Robert Reid, Mr. Hunter, Mr. Brunner, and Mr. Ernest Spencer.

Bill *presented*, and read the first time. [Bill 358.]

ELEMENTARY EDUCATION (CONTINUATION SCHOOLS) BILL.

On Motion of Mr. Samuel Smith, Bill to amend the Elementary Education Acts, and to provide Continuation Schools, *ordered* to be brought in by Mr. Samuel Smith, Sir Henry Roscoe, Sir John Lubbock, Sir George Baden-Powell, Mr. John Morley, Mr. Bryce, Mr. Cyril Flower, Mr. Fisher, and Mr. James William Lowther.

Bill *presented*, and read the first time. [Bill 359

HAWKERS BILL.

On Motion of Mr. Jackson, Bill to consolidate the Law relating to Excise Licences for Hawkers, *ordered* to be brought in by Mr. Jackson and Sir Herbert Maxwell.

Bill *presented*, and read the first time. [Bill 360.]

House adjourned at a quarter before Four o'clock in the morning.

HOUSE OF COMMONS,

Wednesday, 1st August, 1888.

MINUTES.] — SELECT COMMITTEE — *Second Report*—Public Accounts [No. 317].

PUBLIC BILLS — *Ordered* — *First Reading* — Chapels (Clonmacnoice) * [361].

Second Reading—Municipal Corporations (Local Bills) (Ireland) [351].

Committee — Members of Parliament (Charges and Allegations) [336] [*Third Night*]—R.P.

Withdrawn — Whipping [57]; Ecclesiastical Dilapidations [330]; Friendly Societies (Transmission of Money) [51]; Marriage Law Amendment [324].

PROVISIONAL ORDER BILL—*Third Reading*—Public Health (Scotland) (Kirkliston, Dalmeny, and South Queensferry Water) * [327], and *passed*.

ORDERS OF THE DAY.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.—[BILL 336.]

(*Mr. William Henry Smith, Mr. Secretary Matthews, Mr. Solicitor General.*)

COMMITTEE. [*Progress 31st July.*]

[THIRD NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Appointment and duties of Special Commissioners).

MR. R. T. REID (Dumfries, &c.), in moving in page 1, line 19, after "persons," to insert "in so far as the same bear upon the alleged complicity of the said Members," said, the Amendment was rendered necessary by the refusal of the Committee to accept the earlier Amendment he had moved on Monday. If the Amendment were adopted the clause would run thus—

"The Commissioners shall inquire into and report upon the charges and allegations made against certain Members of Parliament and other persons, in so far as the same bear upon the alleged complicity of the said Members."

In justifying the Amendment to the Committee, he desired to point out that, as the Bill stood, it proposed to institute an investigation into the conduct of two classes of persons; the first class of persons consisted of Members of Parliament, and the second of what were called "other persons," who, as the Bill stood, might be any persons, whosoever they might be and wheresoever they might be, who might be said to be implicated in the charges made in the proceedings in the trial of "O'Donnell *v.* Walter." The Amendment did not in any way limit the scope of the inquiry in so far as Members of Parliament were concerned, and it left absolutely unfettered the powers of the Commissioners as far as the charges and allegations against them were concerned. He could not help thinking, notwithstanding what had passed, that the primary object of the Bill was to inquire into the conduct of the Members of that House; but when it was proposed to inquire into the charges and allegations against "other persons" generally, they were entering into an altogether different field. It was quite possible, under the provisions of this Bill, in order to deal with the case of Members themselves, to inquire into the conduct of "other persons." It was also clearly possible under the terms of the Bill, for the Commissioners to expend an enormous amount of time in examining into the charges and allegations against "other persons" who might have had no connection with Members of Parliament at all, and who were altogether independent of the conduct of Members. It was, therefore, necessary for the Committee to consider what was the real intent and scope of the powers to be given to the Commissioners as far as "other persons" were concerned. There was to be no limitation to the class of persons or the class of allegations, and having regard to the speech of the hon. and learned Attorney General, there might be a field of inquiry illimitable in extent. To show the extent to which such inquiries might be pushed, he would quote from an article of Mr. Arnold Forster, which was referred to by the Attorney General in the course of his speech in "O'Donnell *v.* Walter." It was to this effect—

"Three score of cruel murders of men and women, with mutilations, burnings, robberies innumerable; more than 10,000 outrages com-

mitted in the short space of two years and a-half, concocted and perpetrated in the interests of a cruel and illegal conspiracy."

Under the provisions of the Bill, it would be competent for the Commissioners to inquire into the circumstances attending every one of these outrages extending over two and a-half years, and there was no reason why the outrages which had been perpetrated in other years should not also be inquired into. That was the nature of the powers conferred on the Commissioners, and he maintained that it would be their duty to make that inquiry. Was the Bill to be one to enable hon. Members of that House to meet the terrible charges which had been made against them, and to enable the House to inform itself whether or not there were sitting in it men capable of the conduct which had been attributed to them, and which he certainly declined to believe they had been guilty of, or was it to be a Bill for the purpose of enabling the Government to parade before the country a catalogue of melancholy and disgraceful crimes which had occurred in Ireland, crimes which no one disputed were disgraceful, but which ought not to be made the subject of any special inquiry, unless it was thought that they were connected with the conduct of Members of that House. Of course, it was competent to place three Gentlemen on a Commission, and parade before the public week after week and month after month details of the horrible crimes committed in England. What would be thought if Irish Members, for the purpose of inflaming the feelings and passions of the Irish people against the Union with Great Britain, and inducing them to demand separation from it, were to ask for a special inquiry into the crimes that had been committed in England during the last few years? It would be a most unworthy step on their part, and would be bitterly resented by hon. Members opposite. Then, was it possible to suppose that hon. Members on that side of the House would acquiesce in the present proposal. The object of the Amendment was to limit the scope of the inquiry in regard to "other persons" to this point only—namely, in so far as the inquiry bore upon the charges and allegations against Members of Parliament. It seemed to him that if this Amendment were adopted the Commissioners would be given free powers to investigate anything having the smallest bearing on or connection with the conduct of Members of Parliament, and to exclude everything that would protract or lead into an indefinite and vague inquiry into the conduct of persons in respect of whom it should be admitted that they had no bearing whatever on the conduct of hon. Members in that House.

Amendment proposed,

In page 1, line 19, after the word "persons," to insert the words "in so far as the same bear upon the charges and allegations against the said Members."—(*Mr. Robert Reid.*)

Question proposed, "That those words be there inserted."

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) said, he thought that the argumentative character of the speech of the hon. and learned Member for Dumfries (Mr. R. T. Reid) would have induced the right hon. Gentleman the Home Secretary not only to rise and reply to the arguments advanced by a Member of such high standing, but to have displayed an eagerness to accept the Amendment itself. If the Amendment of the hon. and learned Member were carried, the clause would read in this way—

"The Commissioners shall inquire into and report upon the charges and allegations made against certain Members of Parliament and other persons in so far as the same bear upon the alleged complicity of the said Members."

He had followed the debate with care from the beginning, and had studied the speeches of the Government, and especially the speech of the right hon. Member for West Birmingham (Mr. J. Chamberlain) at his garden party last Saturday. He had come to the conclusion that what was proposed was an inquiry into a conspiracy. Certainly, that was what was conveyed in the speech of the hon. and learned Attorney General to the jury. It was an inquiry into the whole history of the Land League and the National League; it was to be an inquiry, not into independent or isolated crime on the part of any individuals, but into crimes in respect of which there was complicity and connection between Members of Parliament and other persons, crimes committed by other persons which were connived at and condoned by Members of that House. The whole and sole assertion, therefore, was the

assertion of complicity between persons in that House and persons outside. In these circumstances, the inquiry into the conduct of persons outside had no relevancy, except so far as it tended to cast light on the suggested criminality of persons who were Members of the House. He was sorry that the First Lord of the Treasury was not present, because he desired to point out to him that his old friend, Mr. Walter, did not desire the words "other persons" to be included in the Bill. The Committee would remember that on Thursday, July 12, the First Lord of the Treasury announced that he was willing to appoint a Royal Commission to inquire into the charges made against Members of Parliament. There was not the slightest reference to "other persons" on that occasion. His reading of the situation was that at that time the Bill had been drawn up, and that the title or measure did not bear the words "other persons." In fact, it was then, or immediately afterwards, that the First Lord of the Treasury confessed that the Bill was in existence, and the Government, on the suggestion of Mr. Walter, introduced the words "other persons" into the Bill, forgetting at the same time to amend the title in order to make it accord with the proposed change. What was the course taken by the First Lord's old friend—Mr. Walter? He (Mr. Sexton) was able to prove that he did not require the words "other persons" to be inserted in the Bill from his own words. On the 13th of July, the day following the announcement of the intention of the Government, *The Times* said—

"But since the proposal has been made on behalf of the Government, we may say at once that we at least are prepared to accept it, provided it is so framed as to subject to investigation the whole mass of facts involved in our charges against Mr. Parnell and his Party."

Not a suggestion or hint in regard to "other persons." If the words "and other persons" had been contained in the original draft of the Bill, Mr. Walter would have known it. The Attorney General was present at the Cabinet meeting, and he was the counsel for Mr. Walter; but the words, "other persons," were not contained in the first draft of the Bill. If they had been, Mr. Walter would have pointed out the contradiction between the announcement made at the Table by the First Lord of the Treasury and the first draft of the Bill. But the day after the First Lord of the Treasury gave Notice of the Motion, Mr. Walter called upon him as an old friend. There was no negotiation or arrangement, but Mr. Walter called on the First Lord of the Treasury, and in the most simple-minded way mentioned to him the fact that there was a Bill. He should have thought that it was quite unnecessary for the two old friends to mention to one another a fact so notorious to all the world as the fact of the Bill. Did Mr. Walter come to the First Lord of the Treasury on the 13th of July, and say, "My old friend, I hear there is a Bill to be introduced in the House of Commons to inquire into charges against certain Members of Parliament?" Was that the nature of the communication? No, Sir; but the fact was this, that Mr. Walter was well aware on the 13th of July that the letters would go by the board, that they would have been shown to be forgeries, that the charges against Members of Parliament would be proved to be "all fudge," and that the only chance of Mr. Walter escaping from his disgrace and the ruin of his journal, was to establish a roving inquiry into the acts of "other persons," over whose acts Members of Parliament had no control, and for whose proceedings Members of Parliament had no responsibility, and by thus raising a false issue, and by reason of a delusive inquiry, promoted in bad faith, misleading the public mind as to the real facts of the case. The First Lord's old friend, Mr. Walter, had committed himself to the declaration that he would have been satisfied with an inquiry against Members of Parliament, and that he did not require the charges against "other persons" to be gone into; but a few days later the First Lord's old friend told a lie. On the 17th of July *The Times* contained the following words:—

"We have only to say, so far as we are concerned, that the proposal which we unreservedly accepted last week, and which involves the waiver of our rights as citizens, is that which the Government placed on the Paper, and no other."

Why, what Mr. Walter accepted was not what the Government placed on the Paper; it was something which the Government had not placed on the Paper. What the Government placed on the

Paper, after the two old friends had seen each other, was an inquiry into the charges against Members of Parliament, "and other persons;" but what Mr. Walter had accepted, was an inquiry into the charges against Members of Parliament alone. Now, there was a manifest lie. [*Laughter.*] The Chief Secretary smiled; but he always did. The Chief Secretary regarded lies from a point of view in which he (Mr. Sexton) did not regard them. The Chief Secretary, on the theory of falsehood, was a most ingenious casuist, and judging from the daily course of proceedings in that House, he (Mr. Sexton) was entitled to say that he held no common opinion with the right hon. Gentleman on the subject. He was curious, however, to know how the Chief Secretary would meet this case. On the 13th of July *The Times* said it would be satisfied with charges against Members of Parliament alone. It was quite evident that that statement was absolutely false and inaccurate—not only misleading, but absolutely false, because on the evening of that day the Government put down upon the Paper their intention to appoint a Commission to inquire into certain charges and allegations against Members of Parliament and other persons. But the First Lord's old friend, Mr. Walter, on the 20th of July attached to the words "and other persons" in the Bill a scope and meaning which was sought to be attached to them by the hon. and learned Member for Dumfries (Mr. R. T. Reid), who said that the Commission should not inquire into the conduct of other persons, except so far as it concerned Members of Parliament. But *The Times* said afterwards—

> "The subject of investigation, so far as other persons are concerned, is their conduct in relation to Mr. Parnell and his Parliamentary Colleagues and the matters that are charged against them."

Surely, the hon. and learned Member for Dumfries appealed with extraordinary and irresistible force to the Government, apart from the merits of his case, when he was able to plead, as he could plead, that he proposed this Amendment at the instance and fortified by the support of Mr. Walter himself. What was to be proved at this inquiry. The charges made by *The Times* and nothing else. The charges made by *The Times* and nothing else were referred to in the speech of the hon. and learned Attorney General, and the speech of the Attorney General at the trial was to be the sole matter of inquiry. If *The Times*, in order to prove its charges, was satisfied with an inquiry into the conduct of Members of Parliament and other persons so far as it concerned Members of Parliament, and if *The Times* thought that the Reference was sufficient to enable it to prove its case, he wanted to know why the Government should prolong the inquiry and public excitement, should waste the public time and cause great expense by importing into the charges matters which were not strictly relevant to them, and which Mr. Walter declared to be superflous. He would suggest a practical course to the Government. As the First Lord's old friend, Mr. Walter, had made a call on him, he would suggest that the First Lord might now call upon his old friend, Mr. Walter. There need be no negotiation, no arrangement. The First Lord of the Treasury need not call on Mr. Walter as First Lord, nor need he call upon Mr. Walter as the owner of *The Times*. They were old friends, and could call upon each other as old friends. The First Lord need only do at this interview what Mr. Walter did at the last. The First Lord of the Treasury need only mention the fact of the Bill. He might say—"By the way, Walter, you know there is a Bill before the House which as at first arranged was for an inquiry into charges against Members of Parliament, but which was subsequently, at your suggestion, altered to a Bill for an inquiry into charges against Members and other persons, and, in regard to which *The Times* subsequently told a lie. We find ourselves in some difficulty in relation to the inquiry into charges against other persons; because you say, Walter, that you do not require to investigate charges against other people, except in so far as they concern the conduct of Members of Parliament. In the House to-day, a troublesome Amendment has been moved by Mr. Reid, an English lawyer, and Member for Dumfries, who, acting on your suggestion, asks us to accept what has been suggested by *The Times* itself. You will confess, Walter, between me and you as old friends, that this puts us, the Government, in a difficulty." It was now only a quarter to 1 o'clock—the afternoon was long, the discussion could

proceed; the right hon. Gentleman could make a call on his old friend, and then return and inform them by what course of logic his old friend authorized him on the 1st of August to oppose an Amendment which that old friend himself suggested on the 13th of July.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I had thought it better not to rise immediately after the hon. and learned Member for Dumfries sat down, but to wait until some other hon. Gentleman had an opportunity of speaking, if he wished to do so. I must, at the outset, challenge the very foundation of the argument by which the Amendment has been supported—namely, that the primary object of the Bill is to enable an investigation to be made into the conduct of Members of Parliament, or to enable them to clear themselves. That was not the primary object of the Bill. The primary object of the Bill was to investigate charges which my hon. and learned Friend has correctly described as constituting a catalogue of melancholy and disgraceful crimes which have been left uninquired into and uninvestigated by those who are most concerned—[*Cries of* "Who are they?" *and* "Name!"] [The CHAIRMAN: Order, order!]—and with regard to which the Government thought it a matter of public interest and importance that not only the truth, but the whole truth should be ascertained and made known. For that reason he proposed to institute the tribunal which we believed to be best calculated to investigate the whole matter and to elicit the whole truth. As I have in substance repeatedly stated before, an organ of the Press, which certainly has a very large circulation, has openly and deliberately alleged that an organization has existed which in reality connived at crime, encouraged crime, was aided by crime, and drew its resources from the perpetrators of crime. That was a proposition so startling, so alarming, I may say, in its nature and extent, that an investigation, and a full investigation, of it became, in the judgment of the Government, expedient and proper. It is perfectly true that a certain number, I may say a large number, of Members of Parliament, were connected more or less closely with that organization, and held positions more or less prominent in it; but it was not in their capacity as Members of Parliament, but as Members closely connected with that organization that they were attacked. The primary object of the Bill, therefore, is that that ground of accusation should be disposed of one way or the other—that it should be either crystallized into certainty if it is true, or disproved if the accusations are false; and the object of the Government will not be accomplished, nor, I believe, would the desire of the country be satisfied, unless that result be attained. I should have thought that to Members of the House sitting below the Gangway no result would have been more desirable than that the result of the inquiry should be to prove either that the guilt of secret encouragement of crime and outrage attaches itself to that organization or did not attach to it. But the Amendment of the hon. and learned Member would hamper the Commission by preventing it from inquiring into and ascertaining the truth as to that alleged fact. The second argument of the hon. and learned Member was based on the complexity of the inquiry which that would involve. Let me point out that, assuming that Members of the House are in any way involved in any of the charges brought before the Commission, that complexity could not possibly be avoided. In the course of the evidence as to some of the crimes that are to be inquired into, one case might be found to be connected with another, and nothing could be more unsatisfactory than that the Commissioners should be stopped on the very threshold of an inquiry that would go to prove the guilt or the innocence of Members of this House, because it involves the case of other persons whose guilt might be established. It is obvious, I think, to any understanding that the main and most serious charges in the action of "O'Donnell *v.* Walter and another," are not the charges made against hon. Members. [*Cries of* "Oh!"] Yes; certainly. When it is alleged that Egan was the treasurer of the League, and provided the funds for the perpetration of the Phœnix Park murders, and that Byrne, the Secretary of the League, provided the weapons for their perpetration, surely those are much graver charges than the charges

that are levelled against Members of the House. It is perfectly true that in the statement of those charges is involved the proposition that influential members of the organization known as the Land League and who were also Members of Parliament were so associated with Egan and Byrne as to render probable the conclusion that they must either have known what those officers of the organization were doing or must have deliberately shut their eyes to their proceedings. But the gravest charges are those that are made against the officers of the organization whom I have named; and the House will remember in connection with the articles of *The Times* that in his letter Mr. O'Donnell said that Byrne was directed by abler and more wicked men than himself. Mr. O'Donnell did not say whom he meant by that remark.

MR. T. P. O'CONNOR (Liverpool, Scotland): Does the right hon. Gentleman suggest that he meant us? [*Cries of* "No!"] Then do not insinuate the charge.

THE CHAIRMAN: Order, order!

MR. CLANCY (Dublin, Co., N.): That is the insinuation.

MR. MATTHEWS: If the hon. Member will do me the honour to wait for a moment——

THE CHAIRMAN: The hon. Member for North Dublin (Mr. Clancy), following the action of other hon. Members, has interfered in a disorderly manner in throwing words across the House. I must give Notice to the hon. Member that if this conduct is repeated, I must exercise the power that the House has conferred upon me.

MR. T. P. O'CONNOR: I wish to say—and it is only fair that I should do so——

THE CHAIRMAN: Order, order! The right hon. Gentleman had not concluded his sentence when he was interrupted.

MR. MATTHEWS: I beg to assure the hon. Member for the Scotland Division of Liverpool that neither in this House nor elsewhere do I deal in insinuations; but if I intend to make a charge against any person I make it in the plainest and most unambiguous manner. I intended no insinuation against anyboby. I only used words that have been used in these proceedings. Mr. O'Donnell, in his letter, said that Byrne was directed by abler and wickeder men than himself. I do not say for one instant that he meant by that hon. Members below the Gangway; but I say it is of public interest to know who those men were. Whether they were Members of this House or not, the importance of the matter and the public interest of such an inquiry are equally grave. I do not suggest who they were; but whoever they were, it is, I repeat, a matter of public interest that it should be ascertained who they were. I myself do not in the least make any suggestion on the point; but the suggestion has been made, and it is not improbable, that there was somebody acting in complicity and connivance with Byrne and Egan. But if the matter of who egged on, encouraged and promoted these crimes is left uninvestigated, the result of the inquiry would obviously be most unsatisfactory and incomplete. I repeat, then, that the primary object of the Bill is not to attack or to clear Members of Parliament. The object is to get hold, in the most efficient way, not only of the truth, but of the whole truth in relation to the organization to which I have referred as regards its connection with crime.

SIR WILLIAM HARCOURT (Derby): Complaint has been made of the protracted character of these debates; but if we require any justification it will be found in the speech which we have just heard. It has only been by the most persistent pressure that we are at last beginning to discover what is the real meaning of this Bill. Gentlemen on this side have previously said—and it has been met by indignant denials—that the object of the Commission is not, as has been pretended, to give an opportunity to Members of Parliament to clear themselves from foul and calumnious charges—that that is only a secondary and incidental object; but that the real object is to inquire into the conduct of political organizations. At last, on the third day of the debate on the Bill, the Committee have extracted from the Government that that which has been repudiated over and over again is now, for the first time, avowed by them. Let us look back to the history of this transaction. If it were of public importance that there should be an inquiry into this political organiza-

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tion, why was not that inquiry instituted by the Government? All these statements were made in a newspaper of great influence and circulation. I suppose it was part of the duty of the Home Secretary to make some inquiry into the grounds upon which the charges were made before the Government advised the appointment of a Royal Commission.

COMMANDER BETHELL (York, E.R., Holderness): I rise to Order. Are the remarks of the right hon. Gentleman relevant to the question before the Committee?

THE CHAIRMAN called upon Sir William Harcourt to proceed.

SIR WILLIAM HARCOURT: The articles upon which the Home Secretary justifies this Commission have been before the public for the last 15 months. The Government at first desired to escape the responsibility for the appointment of this Commission; they said—"It is not our doing; it is not our wish; it is done at the instance of the hon. Member for Cork;" and now we are told that the Commission will not mainly concern itself with the hon. Member for Cork and his Colleagues, but that it has a totally different object; that its main object is to inquire into a political organization, and that it is only as members of this organization that the conduct of Members of Parliament is to be inquired into. Is it possible for the Government to exhibit themselves in a more double-minded form than they have done from the beginning to the end of these transactions? They have said, and the Home Secretary now says, that the charges and allegations in *The Times* do not mainly affect the Irish Members. It is hardly possible to conceive how a man in so responsible a position could make a statement of that kind, which common sense will repudiate with indignation? It is perfectly well known that the articles entitled *Parnellism and Crime* were written with a definite object; that they were intended as an attack upon Home Rule; that they were intended to disparage the hon. Member for Cork and the Leaders of the Home Rule movement. Everyone knows that that was the case. Then what were the primary objects of the inquiry? I wish hon. Members to mark that the inquiry had been stated by the Government to have been set on foot, not because it was necessary to inquire into the action of the Land League and the National League. The Government have confessed that they would never have proposed it if the hon. Member for Cork had brought an action against *The Times*. They have said that over and over again. Now, if the hon. Member for Cork had brought an action, nobody knows better than the Home Secretary, from his practice at the Bar, that the conduct of the Land League and the National League could not have been brought under the purview of that action, nor could the guilt of Egan and Byrne have been tried. These things would have been as irrelevant as the conduct of the hon. Member for Cork in the action of "O'Donnell *v.* Walter." The right hon. Gentleman knows that perfectly well. Well, Sir, the Commission is offered as an alternative to a proceeding which could not have had as its primary object that which is now stated to be the primary object of this inquiry. When the Home Secretary says that the conduct of the Irish Members is not the main or the primary object of attack in the articles of *The Times*, or of the action to which they invited or hounded on the hon. Member for Cork, whom does he expect to accept such an assertion? What, then, is the primary object of these articles and the primary object of this inquiry? I quoted last night one of the allegations which was intended to insinuate the connection of my right hon. Friend the Member for Mid Lothian (Mr. W. E. Gladstone) with crime. Is that the primary object of this inquiry. If that is not intended as a political calumny which the Government desired to include in the allegations to the Commission, why was it read out by the hon. and learned Attorney General at the trial? I suppose that the Attorney General would hardly get up and state that he deliberately read a calumnious passage about the most eminent Member of this House in mere wantonness. No, Sir; he thought that that was a material circumstance, or he would not have put it into the indictment which is to be referred to the Commission. I confess that I heard with deep regret that in order to defend himself the Attorney General sheltered himself under the approval and authority of my right hon. and learned Friend the Member for Bury (Sir Henry James).

He said that no allegation had been brought forward by him which did not meet the approval of my right hon. and learned Friend. In the absence of my right hon. and learned Friend, I will repudiate, and I repudiate on his behalf, that he was a party to the putting in an allegation that was utterly irrelevant to the issue to be tried; and an allegation which could only have been put in for the purpose of making a wanton attack upon my right hon. Friend the Member for Mid Lothian, in order, if possible, to hold him up to the execration of the public. An attempt which, like all your other attempts, has ignominiously failed; an attempt to damage political opponents by putting forth allegations against them which were not to be specified as distinct charges that could be properly encountered. I know that it is of no use our moving Amendments on this Bill. You will defeat them by your majority, although I am happy to see that you carry with you only about one-half of your Party majority, showing that there is some sense of shame among those who usually support you. We have, however, another and a different object, and one which we shall persistently pursue both in this House and out of it—namely, the object of making the country understand the real issue. We have succeeded to-day in extracting from the Home Secretary the statement that the Commission is not offered to the Irish Members to afford them an opportunity of meeting foul and calumnious charges, but that its object, as now stated by the right hon. Gentleman, is to make an attack upon a political organization which you hope to damage and destroy by vague accusations which cannot be formulated, and by miscellaneous calumnies, some of which you hope may stick to those against whom they are uttered.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): The right hon. Gentleman who has just sat down has complained of what he described as a wanton attack on the right hon. Member for Mid Lothian (Mr. W. E. Gladstone). The right hon. Gentleman ought to be a great authority on wanton attacks; no one has made more than he has; nobody has shown greater ingenuity than he has in dragging them into debate in the most irrelevant manner; and in the speech which he has just delivered he has made a wanton attack upon my hon. and learned Friend the Attorney General. If the hon. and learned Gentleman has associated himself with the right hon. and learned Member for Bury (Sir Henry James), it was not because he needed protection, for the Bar of England, of which the right hon. Member for Derby (Sir William Harcourt) was once an ornament, are unanimous in believing that the Attorney General has not departed by a hair's breadth from that path of rectitude and professional honour, of which he affords so distinguished an example. The right hon. Gentleman proceeded to say that by the exertions of himself and his Friends he has, after three days' debate, succeeded at last in extracting from the Government the true object with which this Bill has been brought forward. Sir, the right hon. Gentleman cannot have done us the honour of listening to the speeches which have been made from this Bench. My right hon. Friend, in the speech he has made to-day, was guilty of no fault but that of repetition, for he has repeated what has been said three or four times, and he has added nothing to the declarations that have been formerly made by the Government. The history of the matter may be summed up in a few words. *The Times* made certain accusations against Members of Parliament and other persons who had ample opportunity of submitting the charges to a Court of Law. One of the other persons did so, but Members of Parliament shrank from appealing to a Court of Law, and yet were not ashamed to come down to the House and complain in Parliament that justice was denied them. These charges were not now uttered for the first time, but were made last year. Wearied by the endless iteration of these complaints, the Government said at last that matters had reached such a pass that it was absolutely necessary, in order to satisfy the public mind, that there should be a full, clear, and exhaustive inquiry into all the transactions set forth in *Parnellism and Crime*. The Government have not proposed this Bill with the simple object of providing Gentlemen with one tribunal, after their rejection of another.

The purpose of the Government in proposing the inquiry is to find out the whole truth, not merely the truth about the allegations against Members of Parliament, but the truth about the whole of these transactions in which Members of Parliament are rightly or wrongly alleged to have been mixed up. That is the attitude of the Government, and there has never been any wavering in the matter. It is the view which they have always taken, and which they take still. The right hon. Gentleman opposite has complained of my right hon. Friend sitting near me for saying that Members of Parliament are not the persons principally implicated in the charges of *The Times*. Has the right hon. Gentleman read *Parnellism and Crime?* The main accusation affecting Members of Parliament in that pamphlet is, that they had connived at and condoned criminal outrages; and, serious as it is, that is certainly not as serious an accusation as the actual charge of committing criminal outrages. Those who are accused of actually committing crime are the persons most seriously concerned. The right hon. Gentleman opposite says that the object of the Government is to inquire into what he calls a political organization.

SIR WILLIAM HARCOURT: I took, I think, the exact words used by the Home Secretary.

MR. MATTHEWS: I did not say "political organization."

SIR WILLIAM HARCOURT: I think I am responsible for the addition of the adjective.

MR. A. J. BALFOUR: I am bound to say that the word "political" has received and is receiving the most extraordinary extension at the hands of right hon. and hon. Gentlemen on the other side of the House. I do not deny that the Land League may have had political among other objects. The right hon. Gentleman has stated that the chief agents of the League were Fenians, and I am not prepared to deny that Fenianism had political objects, and in that sense the Land League might be called a political organization. But the Government do not want to inquire into the objects which that organization, whether political or not, had in view, but into the means which it used; and if these means were criminal means, as is alleged in *Parnellism and Crime*, and if hon. Members of this House had cognizance of them, then the Government would not be instituting an inquiry into the objects of the Land League as a political organization, but into the acts of the Land League as an organization, which, whatever its objects, used as its means foul crime. Does the right hon. Gentleman opposite mean to tell the Committee that an investigation of that sort is an investigation aimed exclusively at a political Party as such? Has the right hon. Gentleman changed so much in the last five years that he can confound the political or semi-political objects of an association with the criminal methods by which they may seek to attain those objects? It is into the methods, and the methods alone, that this Commission would investigate; and it is because I believe that if the Amendment of the hon. and learned Member is accepted the investigation would be unduly limited, and would not have the the effect of clearing up the public doubts, that I cannot agree to the proposal now before the Committee.

SIR LYON PLAYFAIR (Leeds, S.): The Chief Secretary for Ireland has complained that the Opposition are giving an extraordinary extension to the meaning of the Government.

MR. A. J. BALFOUR: My observations referred to the use of the word "political."

SIR LYON PAYFAIR: The Home Secretary has certainly given the most extraordinary extension to the object of the Bill. According to the right hon. Gentleman, the object is to examine into an organization which caused political crimes of a very outrageous character, and he says incidentally that Members of this House might be concerned as having been connected with those crimes. Now, let me remind the right hon. Gentleman that when this House has desired to inquire into organizations producing crime in Ireland they have appointed Select Committees. There have, for example, been Select Committees upon the Whiteboy organization, upon Ribbonism and crime, and upon other organizations charged with crime in Ireland. If it was the intention of the Government to inquire into any organization producing crime they ought to have appointed a Committee instead of introducing this Bill. If the Home Secretary had made the same speech on the Motion for the

second reading which he has made to-day, most certainly there would have been a Division.

MR. MATTHEWS: I beg the right hon. Gentleman's pardon. I said exactly the same thing on the second reading.

SIR LYON PLAYFAIR: I have been an attentive attendant during these debates, and I have listened with the greatest attention to the speeches of the right hon. Gentleman; but none of his previous speeches contained such an extension of the object of the Government as he has announced to-day. If the main object of the Bill is concerned with an organization which produces crime, why has not that been declared in the title of the measure? The title of the Bill is—"Members of Parliament (Charges and Allegations)." Is it not plain, therefore, that the original intention of the Government was to enable certain Members of Parliament to clear themselves from the foul calumnies of which they were the objects? That was the title of the Bill, but it is true that subsequently the Government added the words "or others" to the Preamble; but what could these words mean, except that the investigation was to be confined to the charges against Members of Parliament and "others" in connection with Members of Parliament? The meaning must have been that "others" in connection with Members of Parliament were to have an opportunity of clearing their characters. That was the meaning which it was desired to fix to the words by the Amendment before the Committee. The country, I am sure, will be astonished at the extraordinary extension which has been given to the object of the Bill. The Committee are now told that the Commission is to examine into an organization which was responsible for crime, and the Members of Parliament who have believed that the measure was a Bill to enable them to clear their characters are, it appears, only to be brought in incidentally as members of the organization in question.

MR. BRADLAUGH (Northampton) said, there had been two speeches delivered by right hon. Gentlemen from the Government Bench against the Amendment which, he confessed, filled him with some alarm. At any rate, he had attended to all that had been said during the debate, and also to what had occurred in previous debates upon the Bill; and he was sure he would be within the judgment of the House and of the country, when they had an opportunity of reading the debate, and especially the speech of the Home Secretary, if he asserted that an absolutely new case had been presented that afternoon by the right hon. Gentleman, and endorsed by the Chief Secretary for Ireland. He would endeavour to make that fact, he hoped, as clear to the Committee as it was to his own mind. He nnderstood the Home Secretary to object, in very careful language, to the Amendment of the hon. and learned Member for Dumfries (Mr. R. T. Reid). The right hon. Gentleman said he could not accept the Amendment because the Government, moved by the startling and alarming statements made in *The Times*, had felt that it was their primary duty to inquire fully into the truth of those statements as to the crimes put in the forefront of the startling and alarming articles in question. The right hon. Gentleman added that it was for that reason that the Bill had been introduced. But *The Times* was not printed yesterday, and the Government had not heard those statements for the first time just before their determination to introduce the Bill. Portions of those very statements were, by the knowledge of the Home Secretary, circulated in a Parliamentary Paper placed in the hands of Members last year, and portions of them formed the subject-matter of discussion in the debate on Breach of Privilege. He did not know whether the Forms of the House would permit him to put the question in the words he was about to use; but he would ask, how dared the Home Secretary entertain any hope that any human being of reasonable sanity would believe that alarming and startling statements which did not startle the Government last year had startled them to this extent this year? They went away for the holidays comfortably last year. The statements did not startle them during the winter after their publication, but they now startled them so much that they felt it their duty to issue a Commission. What was the true explanation of their conduct? It was that the hon. Member for Cork having asked for an investigation, the Government, being desirous only to damage the rising cry for Home Rule

in Ireland, had determined that the inquiry should not be an inquiry, except in a subsidiary fashion, into the conduct of the Members of Parliament, but an inquiry into all the mischiefs, all the crimes, and all the horrors which had arisen in the country we had misgoverned, as part of the fruits of our misgovernment. He would look a little more to the language used by the right hon. Gentleman the Chief Secretary, as well as by the right hon. Gentleman the Home Secretary. The right hon. Gentleman the Chief Secretary was supposed to be a master in the use of language, and able to express what he meant. The right hon. Gentleman said that the object declared to-day by the right hon. Gentleman the Home Secretary had always been the object of the Government; that they did not bring the Bill forward—he noticed the word "primarily" was now introduced — primarily for the object of clearing Members of the House, but for the purpose of ascertaining the whole truth. Well, if that be true, why did they not upon their own initiative bring the Bill in a long time ago? Portions of the inquiry they had already made; they took statutory powers to make secret inquiries into a large number of the very crimes and outrages with which the right hon. Gentleman the Home Secretary tried, not improperly, to harrow up public feeling. He said "not improperly," because he was one of those who thought that the more all crime and outrage could be denounced in connection with any political movement the better for the welfare of the country. But he could not believe that the Government were quite truthful in their declarations in the House now, because either in the secret investigations which they had conducted they had some evidence affecting people within their reach, and in that case they were traitors to the country that they were called upon to govern by not putting those people on their trial, or the investigations had shown them that there was no foundation for the insinuations *The Times* had made over and over again, and which were repeated by the hon. and learned Attorney General. Of course, he did not blame the hon. and learned Attorney General for repeating them, because it was his duty, as advocate for *The Times*, to make out the strongest case for *The Times* he could. He thought it, however, a misfortune that the advocate of *The Times* should have happened to be the first Law Officer of the Crown when he appeared as counsel for *The Times*, for he knew how difficult it was for a man in the hon. and learned Gentleman's high position to distinguish between the Law Officer of the Crown and his position as the advocate of his clients in what he was doing. But it was still more embarrassing to private Members of the House when the hon. and learned Attorney General's Colleagues used his statement in Court, and characterized it, very properly, as a terrible indictment. They had told the hon. Member for the City of Cork (Mr. Parnell)—"It is you who asked for the investigation;" and yet, after all, the right hon. Gentleman the Home Secretary came down to the House now, and said—"It is not because the hon. Member for Cork asked for an investigation, but because the Government were alarmed and startled by these terrible allegations, that this Bill was introduced." If he (Mr. Bradlaugh) had said that, *The Times* would have said it was untrue. He appealed to the right hon. Gentleman the Home Secretary, as an able man, as a clear-minded man, as a man used to advocacy, as a man used to moving juries, whether the speech of the hon. and learned Attorney General was not a speech to the jury outside intended to beguile away votes, whether the attack which the right hon. Gentleman the Member for the Isle of Thanet (Mr. James Lowther) made upon the Leader of the Opposition did not show that the object of the Government was really to cast dirt upon particular political opponents? He should vote for the Amendment. He was told that the Amendment was intended to limit the scope of this investigation. But, surely, when men were to be put in peril for the rest of their lives for having connived at murder, the inquiry should be so limited that the peril should not be unfairly put upon them. A man charged with any sort of misdemeanour had some kind of show of justice even in Ireland; certainly he had some in Scotland; certainly he had some in Wales, certainly he had some in England; and yet he understood the right hon. Gentle-

man the Home Secretary to put it that out of all the cases of crime that had taken place in Ireland in connection with an agrarian crisis of exceeding bitterness, an agrarian crisis which was only the culmination of generations of agrarian wrong, the Commissioners were to be permitted to select instances and put them as damaging to the Irish Party. The right hon. Gentleman the Chief Secretary put it to the Committee that to connive at crime was not as serious as the committal of crime. He knew the right hon. Gentleman was a great logician; he did not pretend to be one; but he had serious doubts as to the morality of the right hon. Gentleman's proposition. He understood the speech of the hon. and learned Gentleman the Attorney General in the case of "O'Donnell *v.* Walter and another" to more than suggest that there were men of intellect, men of means, who induced poor, and angry, and wretched, and poverty-stricken men to commit crime; and in that case he (Mr. Bradlaugh) suggested that the men who connived at crime, and who were accessories beforehand to it, were the greatest of all criminals. What was the object of depreciating the case which the Government thought they had against the Irish Members? Either they thought that some of those Members were tainted, or they did not. If they did not, then every speech they had made to their constituents was so far removed from the truth that he felt a difficulty in characterizing them without bringing himself under the censure of the Chair. If hon. Members opposite did not think that the Members named in the articles in *The Times* had been accessories before the fact to felonies, and had connived at them, most of the speeches they had made when they had put to their constituents the character of the men who would be brought into power if a certain kind of political proposal were successful—all those speeches must have been so unfair, so dishonourable, that the result of an investigation which cleared Members sitting around him would be to stamp upon those who had now the charge of the government of the country the degradation of having descended to calumny and libel against their opponents. The way the debate proceeded rendered it exceedingly difficult in speaking to an Amendment to keep oneself within the strict limits of what a technical speech on an Amendment should be, yet, if there be an Amendment which left room for the whole of the kind of address he was making, it was surely the Amendment they were now discussing. The hon. and learned Gentleman the Member for Dumfries (Mr. R. T. Reid) wanted to limit nothing. These charges and allegations referred to Members of the House, and the hon. and learned Gentleman's proposal was that wherever the charges and allegations bore against hon. Members they should be inquired into, and yet they were told that this Amendment would limit the inquiry. What must be thought when the Government wanted to pile up every bad word every man who happened to be an Irishman in any part of the world had said, when they wanted to pile up every wicked act any Irishman in the world had done, when they wanted to pile up every word of vengeance that some man, who had been turned out of the house in which he was born, and possibly seen the roof of thatch burning over some of his little belongings, might have uttered? Every one of those words and acts which might not have any bearing upon any charge made against any Member of the House were to be brought forward to save the Government from discredit. Then the right hon. Gentleman the Home Secretary said it was the alarming and startling statements in *The Times* that had moved the Government to bring in this Bill. That was an alarming and startling statement for every lover of the truth. The right hon. Gentleman had hidden his alarm for a number of months; the right hon. Gentleman the First Lord of the Treasury had managed very well to hide the startling effects of those statements upon himself. He thought he had heard the right hon. Gentleman the First Lord of the Treasury say—and, as he believed, truthfully say—that the hon. Member for the City of Cork had the remedy at law in his own hands, and that however eminent might be the persons attacked, or however serious the charges might be, it was no duty of the Government to interfere so long as a legal remedy remained. The right hon. Gentleman the Home Secretary told them that when the right hon. Gentleman the First Lord of the Treasury

told them that, he was not speaking the truth. [*Cries of* "No, no!"] Yes; because he said the Government, startled and alarmed by this indictment of crime, from the very beginning had always determined to investigate it—that they had never changed their minds upon the subject. The right hon. Gentleman the Chief Secretary said the right hon. Gentleman the Home Secretary had told them nothing new, but that he had only repeated what had always been the decision of the Government. If that be true, the Government had very carefully hidden their decision. He (Mr. Bradlaugh) asked hon. Members opposite to have a little fairness; charges of murder and complicity with murder were not things to fling about lightly. Let those who sat around him, if they were guilty, be condemned on clear and fair evidence; but do not bring in every outrage of which the Committee knew, every White-boy or Moonlighting expedition of which they had heard; and he was surprised to hear the hon. and learned Solicitor General (Sir Edward Clarke), who had a careful judgment, and who often exercised it with considerable independence, introduce Moonlighting into this matter. Unless the hon. and learned Gentleman meant that some of the Members who sat around him (Mr. Bradlaugh) were criminals, connivers at crime, and hirers of men to commit outrages; unless he meant they knowingly employed agents to carry out Moonlighting expeditions; unless he meant something of this kind, the introduction of Moonlighting was unworthy of the hon. and learned Solicitor General, and he (Mr. Bradlaugh) appealed to independent Members only to condemn men for what they deserved to be condemned, and not to throw a huge amount of odium and calumny in the hope that some of it might stick.

MR. J. E. REDMOND (Wexford, N.) said, that it might be thought that, after the powerful speech to which the Committee had just listened, there was very little need for a speech from one of the Irish Members in support of this Amendment. But the situation, so far as they were concerned, had been absolutely changed by the speech which was made by the right hon. Gentleman the Home Secretary. The Irish Members, especially those of them who were incriminated in the libels in *The Times*, found themselves now face to face with an entirely different situation to that with which they found themselves face to face up to to-day. He asked what was, according to the Government, now the object of the Bill? The right hon. Gentleman the Home Secretary told them that the primary object of the Bill was not to inquire into the guilt or innocence of Members of Parliament—was not to afford Members of the House an opportunity of clearing themselves from odious charges; but he told them—and he (Mr. J. E. Redmond) took down the right hon. Gentleman's words—that the accusation was that an organization ostensibly peaceable was really of a criminal character. The Bill, therefore, was a Bill introduced for the purpose of inquiring into, not the conduct of certain Members of the House, but into the conduct and the history of two organizations which, for eight or nine years, had been in existence in Ireland. He would be the last to deny that an inquiry into those organizations might be a most proper thing; not only might it be a most proper thing, but the duty of instituting an inquiry into such organizations might be an imperative duty on the Government. But what he claimed was this—that if the Government intended this Commission to be a Commission of Inquiry into the Land League and the National League, let them say so in their Bill. What was the title of the Bill? It was "Members of Parliament (Charges and Allegations) Bill." If the right hon. Gentleman the Home Secretary had truthfully interpreted the meaning of the Bill, it should be entitled, not "Members of Parliament (Charges and Allegations) Bill, but "Land League and National League (Investigation) Bill," or something of that kind. He repeated that he would be the last to deny that an inquiry into those organizations might be necessary, although he could scarcely understand how the necessity for such an inquiry arose now more than at any other time. There was not, he asserted, a single charge or allegation against the Land League which was contained in *The Times* pamphlet which was not repeated formally and solemnly in the House by the late Mr. Forster. There was not a single allegation against the National League in *The Times* pamphlet which had not

been repeatedly and publicly made against that organization in the Press and on the platform for years past. There was not an allegation in the pamphlet which was not known to every Member of the Party opposite when, in 1885, they were allied with the Irish Members; when, in 1885, they, by the aid of the Irish Members, turned the Liberal Party out of power; and he wanted to know why, if the duty of inquiring into these crimes was an imperative one, if the duty of inquiring into the Land League was an imperative one now, it was not considered an imperative one by the Tory Government which came into power in 1885, and who then had precisely the same information on the subject as they had now? The change in the situation was this. Some years had elapsed, and these charges had been revived with certain additions; and he maintained that those additions, which consisted of the letters alleged to be forged, were the only things which had attracted the attention of the public, and which called, in the estimation of the public, for investigation. So it came to this—that they were now told that stated charges made years ago in the House and out of it against an organization which had ceased to exist for seven years demanded from the Government that a Commission of Inquiry should be established, and such a Commission was proposed to be established by a Bill which did not honestly state its purpose in its title, and which was called "Members of Parliament (Charges and Allegations) Bill." This was the first time he had spoken a word during the course of this debate, although there were very few of his Colleagues who were more deeply implicated in the libels of *The Times* than himself; and, for himself, he might say he would be very loth indeed to support any Amendment at all which had the object or could have the effect of altering the scope of the inquiry so far as he or his Colleagues were concerned. They courted the fullest inquiry into their actions; he went a step further, and said, as one who was a member of the Land League and as a member of the National League, they were willing to have an inquiry into those organizations, and they courted such inquiry; but they asked that the two things should not be confounded. They asked Parliament—not under the pretence of inquiring into their conduct—to enter upon an inquiry into two organizations, which would necessitate, in the words which were used by the right hon. Gentleman the Home Secretary the other night, a scrutiny of eight years of Irish history. They understood perfectly well the object of the Government as avowed by their speeches to-day. For his (Mr. J. E. Redmond's) part, he rejoiced that the right hon. Gentleman the Home Secretary had made the speech which he made at the Table just now, because at last the true meaning of this Bill would dawn upon the public outside. The public would at last understand that the Bill, which they were told was an answer to his hon. Friend's (Mr. Parnell's) appeal, and a concession, forsooth, to him, was in reality a Bill intended not to afford the hon. Member for the City of Cork that opportunity of clearing himself which he demanded, but a Bill intended to raise a discussion and inquiry into eight years of Irish history. He (Mr. J. E. Redmond) did not think they had any reason to fear an inquiry into eight years of Irish history; but he, as a man who was accused definitely and clearly beyond all doubt, who was accused of having had trade and traffic with known contrivers of murder, and who, as such an accused person, demanded an opportunity of clearing himself from that charge, objected altogether that the inquiry should be converted into an inquiry into eight years of Irish history, with some seven years of which he had had little or no connection, into transactions with which he could have had no possible connection at all, and into the conduct of men of whom he knew nothing at all and never had seen. He demanded that the inquiry should be confined to the accusations, and should not be spread indefinitely over this number of years. He had made these remarks, and he would make no further remarks during the progress of the Bill in Committee. It was to him a most loathsome and painful thing to have to stand up in the House of Commons and speak a single syllable on this Bill. If he consulted his own feelings he would simply say—"Pass your Bill, pass your Bill as it is, pass any Bill you choose, and I will leave myself absolutely in the hands of any

[*Third Night.*]

tribunal you may set up, because I know it will be impossible for any tribunal to fasten upon me any shade or taint of responsibility for criminal acts." He maintained that it was a cruel and unjust thing, not to him personally, but a cruel and unjust thing to the cause he was associated with and the country he represented, that, in the Government's attempt to fasten guilt upon him, or, he ought to have said, in their desire to give him an opportunity of proving his innocence, they should go into an inquiry into eight years of Irish history, not with the object of showing his guilt or innocence, but with the object of raising a cloud of prejudice in this country, with the object of parading before the English people a number of crimes which the Government knew could not be connected with the Irish Members, and which many of them knew, or ought to know, were the direct result of the policy which they supported in Ireland, in order that by reviving their memory they might be able, as they thought, to induce some English people to still indulge in those prejudices against the Irish people which, unfortunately, had so long stood between the two countries. As he had said, he would say no more upon this matter except this—that he did not care a single fig for any opinion that might be formed of him by hon. Gentlemen who mainly composed the majority of the House. He did not either care a fig for what *The Times* might say of him, or for the libels they might publish of him. He would never dream of bringing such an accusation against anyone in that House; he would never think of complaining about anything *The Times* wrote about him. He would however like to qualify the last assertion, because in one small particular he did complain. He found in one of the articles which he read that he was accused of a certain definite thing which was untrue, and he wrote to *The Times* a letter—he did not care to go into the particulars.

MR. T. P. O'CONNOR: Certainly, state the details — they are important.

MR. J. E. REDMOND said, his hon. Friend asked him to state the details. He was loth to go into them, but with the permission of the House he would state them briefly. The day after the Phœnix Park murders—at 3 o'clock on the Sunday—he was to have addressed a meeting in the Free Trade Hall in Manchester. He rose on Sunday morning, having heard nothing whatever of the news, and he went to service at the Catholic church, and did not come back until about 1 o'clock in the afternoon. He then heard an indefinite rumour, which was to the effect that Lord Frederick Cavendish, and, as the rumour said—happily it was untrue—Lord Spencer had been assassinated. He endeavoured, as well as he could by communicating, not personally, but indirectly, with the detective force in Manchester, to find the truth of the statement before he went to the meeting. All he ascertained was, that the rumour was untrue so far as Lord Spencer was concerned, but that it was true as regarded Lord Frederick Cavendish. With that information solely he went to a mass meeting in the Free Trade Hall, and what did he do? He rose the moment the chairman took the chair, and he told the people that a terrible misfortune had happened to Ireland, and that they could not hold their meeting; and he proposed, in the strongest terms at his command, a resolution denouncing the atrocious murder which had been committed of Lord Frederick Cavendish in Dublin, and he expressed his opinion —his words were on record—that under no circumstances—under no conceivable circumstances—could assassination be tolerated. He came up to London, and next day the London *Times*, in publishing his remarks in Manchester, deliberately accused him of having withheld any mention of the murder of Mr. Burke, because he approved of that murder. He wrote to the London *Times* at once a letter pointing out the facts; that letter they had from that day to this refused to publish. He was not content with that, but he came down to the House a night or two afterwards, and took an opportunity of complaining of what *The Times* had done and of stating the facts, and *The Times* the next morning reported the rest of his speech, but omitted that portion—[*Cries of* "Will they report this?"] *Hansard* reported it. In the hon. and learned Attorney General's speech in the trial of the action of "O'Donnell *v.* Walter and another," he found the old charge raked up and stated against him again without any mention of his con-

tradiction. He was wrong, perhaps, in going into detail; but his object in stating the fact was to show the Committee why he thought he was justified in saying he did not care, and that he did not believe his countrymen in Ireland and throughout the world cared a snap of the finger for what *The Times* might say of him. *The Times* were welcome to go on publishing calumnies that they knew to be calumnies; the Members of the Government were welcome to repeat calumnies that they had opportunities of knowing were calumnies; Members of the House on the other side might go on believing those calumnies in spite of the evidence of their senses, as, for his part, he cared nothing about it. If Parliament chose to appoint this Commission of Inquiry into his conduct, they were welcome to do it; if they called him as a witness before the Commission, he was willing to go before it, and to disclose every act, and word, and thought of his whole life, public or private. He had nothing, and his Colleagues had nothing, to screen. But what he did say was that it was a cruel thing, and an unjust thing, when pretending, forsooth, that they were giving the incriminated Members an opportunity of clearing their characters, that they should in reality be doing what the right hon. Gentleman the Home Secretary admitted to-night—namely, endeavouring to throw the charges against them into the background, and to convert the Commission into a Commission of Inquiry into eight years of Irish history. He was astonished when he heard the right hon. Gentleman the Home Secretary say that he did not conceive that the Irish Members mentioned in the libels were those who were chiefly incriminated in the libels. Who did the right hon. Gentleman think were more incriminated? It was said, those who committed the deeds. Aye, it was a pleasant thing to find the right hon. Gentleman the Chief Secretary for Ireland lectured, and deservedly lectured, as he was on a question of morals in this matter by the hon. Member for Northampton (Mr. Bradlaugh). The Chief Secretary to the Lord Lieutenant of Ireland seemed to think that the tool, the dupe, who performed a criminal act was more responsible than the trader and trafficker with known contrivers of murder, those who executed and contrived and then condoned murders. No; the men chiefly incriminated in these libels were the Irish Members; those whom the Government had refused to name in a Schedule in the Bill; those against whom they had refused to state the definite charges. He and his Colleagues had at least a right to say that, having refused to state the names of the Members in a Schedule, having refused to state the charges on which hon. Gentlemen were going to be tried, in common fairness at least the Government should declare in the Bill that the inquiry should be into the conduct of hon. Members, and only into the conduct of others so far as that conduct of others tended to prove the guilt of hon. Members. It was playing with words to say this was a limitation of the proper scope of the Bill; it could not be said that this Amendment would exclude inquiry into the conduct of Mr. Egan, into the conduct of Mr. Ford, into the conduct of Sheridan, or of anybody whose conduct in the slightest degree tended to establish the guilt of Irish Members. By all means let them inquire into such conduct; but all that was asked was that the Commission should not inquire into the conduct of men, whether they be criminal or not, unless it could be shown that their conduct tended to prove that the Irish Members had any guilty connection with them. They did not desire that the conduct of guilty men should be screened, or that there should be no inquiry into the Land League. Let there be such inquiry; but let there be avowedly such inquiry by a Bill designed, and framed, and titled for the purpose; and do not, under the pretence of affording Members of the House an opportunity of having their conduct inquired into, go into inquiries into the conduct of Tom, Dick, and Harry, without showing, in the first place, that they had been connected with Irish Members. Personally, he had a very shrewd suspicion of what would take place when the Bill was passed. He had a very shrewd suspicion indeed that the inquiry would very soon be turned to Dick, Tom, and Harry. He believed that the inquiries into the acts of the Irish Members would, from the point of view of the counsel for *The Times* lamentably break down; but he also believed that the hon. and

learned Gentleman would be able to, if the Bill was passed as the Government had framed it, cover his retreat by showing that, although his statements were false against Irish Members, there undoubtedly was a certain amount of crime in Ireland, and that the inquiry might, perhaps, have the result of pointing to men who were responsible for that crime. He did not say that was not a useful and right thing to do, but he maintained that it was not fair to combine the two things. Their conduct should be inquired into on its merits. If *The Times* failed to establish the guilt of Irish Members, then the Commission, so far as they were concerned, should stop—so far as the Members of Parliament (Charges and Allegations) Commission was concerned the inquiry should stop—and any inquiry into the acts of other men ought to be an entirely distinct and separate matter, except so far as those other men were proved to be in connection with the Irish Members, except so far as the conduct of those other men might tend to prove the guilt of hon. Members. He had been betrayed into speaking much longer than he intended. He would finish as he had begun, by saying that neither he nor any of his hon. Colleagues wanted to limit the scope of the inquiry, so far as they were concerned, in the slightest degree. They courted inquiry into every public and private act of their lives, and they ventured to think that when the end came the English people would see that the criminals, and the conspirators, and the forgers were not in the part of the House in which they sat.

MR. WINTERBOTHAM (Gloucester, Cirencester) said, he had not previously intervened in the discussions on this Bill. He had waited patiently until this Amendment of the hon. and learned Member for Dumfries (Mr. R. T. Reid) was reached, because he could not but believe that it was an Amendment that the Government, judging from all they had said, were bound to accept. The other day the right hon. Gentleman the Leader of the House (Mr. W. H. Smith) announced this Bill as an offer to the Irish Members, and said "let them take it or leave it." To-day the right hon. Gentleman the Home Secretary (Mr. Matthews) said it never was intended for the Irish Members at all. He (Mr. Winterbotham) read the title of the Bill, and he could not believe that the title of the Bill was a lie on the face of it. The title of the Bill was "Members of Parliament (Charges and Allegations) Bill," and now the right hon. Gentleman the Home Secretary asserted that the proposed inquiry was not an inquiry mainly or principally into the allegations against hon. Members of the House, but it was an inquiry into the political history of Ireland for the last eight years. The Committee had just heard a speech from one of the incriminated Members. He (Mr. Winterbotham) hoped there was some chivalry left in the House of Commons; he hoped there were men who would get up and take the line adopted last night by the hon. and learned Gentleman the Member for the Kingswinford Division of Staffordshire (Mr. Staveley Hill). The Irish Members appealed to the House for justice. Were the Government going to let justice be denied to them in a cloud of muddy aspersion and in an inquiry into events which had happened during the last eight years? Was there an hon. Member of the House who would deny that the history of every national movement was full of details of questionable actions by various sections of men? Did they attack the memory of Cavour because he might have had communication with Mazzini, and Mazzini might have had communication with Orsini? Were the Government going into the recent history of Ireland without, at the same time, inquiring what had brought about the present lamentable state of Ireland? Were they going to stick to the letter of the Bill? Were they going to keep the pledge of the right hon. Gentleman the Leader of the House to give hon. Members an opportunity of clearing their character? He could not understand how this Amendment could be refused by the Government, still less did he understand how this Amendment could be refused by high-minded and honourable Gentlemen opposite. He entreated hon. Gentlemen to rise above Party allegiance, and to insist that this inquiry should be conducted in the spirit and for the end for which it was all along avowed by the Government. Was the inquiry to be one mainly into the question whether Gentlemen who sat amongst them were guilty of

complicity in hideous and abominable crimes, or was the inquiry to be one into all that had happened in Ireland by way of crime during the last eight or nine years? There was one other point he wished to raise—it had not been raised hitherto. If they were going into the question of crime in Ireland, were they going into one sort of crime only? Had all the outrages and all the bloodshed in Ireland been the result of two organizations — the Land League and the National League? Had there been no blood spilt in Ulster? Were the violent speeches which were alleged against hon. Members the only speeches which had stirred up evil blood and passion in Ireland? Were the Government going to prove that crime had dogged the steps of the Land League, and not going to inquire into the loss of life and rioting and disturbance which had followed incendiary speeches delivered by hon. Members belonging to the Party opposite? His appeal was an appeal for justice. An inquiry into the history of Ireland for the last six or eight years would be a very valuable inquiry. He had not the least objection to such an inquiry. He would vote with pleasure for an inquiry into the causes which had led to the lamentable state of things in Ireland; but he wanted this inquiry to be what it was upon the face of it—"Members of Parliament (Charges and Allegations) Bill." He wanted the country to know whether these accusations were true—whether the letters were forgeries or not. He assumed hon. Members did not care twopence about having the old stories raked up. Not only did the country not care for it, but the country were sick of it, and hon. Gentlemen opposite were sick of it. He believed there were many Members opposite who wanted to see something happier and brighter than the raking up of this old mud. He was sure there were Members opposite who were prepared to admit that all the fault had not been with the revolutionary movement, but that it had been caused by acts connected with the policy of the English Government. He believed there were hon. Members opposite who wanted to see this movement kept within, as it had been gradually approaching, Constitutional lines, and that some solution should be found to put an end to the long tale of wrong and misery and outrage and bloodshed. He should support with the utmost delight the Amendment of his hon. and learned Friend the Member for Dumfries. He appealed to hon. Members opposite to let them confine the inquiry to the question which the country and which the House understood to be the question when the Bill was introduced.

SIR EDWARD HAMLEY (Birkenhead) said, that the right hon. Gentleman the Member for Derby (Sir William Harcourt) had just treated the House to another of those exhibitions with which he had long rendered it familiar. He never saw the right hon. Gentleman hurling his studied insults at the Treasury Bench without thinking of Goliath of Gath striding up and down in front of the Israelitish camp and challenging some unfortunate Hebrew to come out and fight him. Everybody was pleased last night when the Treasury Bench was found to send forth a David in the person of the hon. and learned Solicitor General for Scotland (Mr. J. P. B. Robertson), who slung a pebble which smote that boastful and arrogant champion right in the middle of his forehead. But the right hon. Gentleman was only boastful and arrogant when addressing the Treasury Bench. When he turned to those respectable clients of his below the Gangway, what a change in his demeanour! How his shoulders seemed to stoop, his knees to bend; how he seemed to address them as "his very noble and approved good masters;" and his masters they undoubtedly were, and he hoped the right hon. Gentleman was proud of his servitude which nobody envied him. What a descent for the right hon. Gentleman, with his legal training, with his literary pretensions, with his former fellowship with men once eminent in the State, to be reduced to beg a cheer—or the discordant noise which passed for a cheer—from that quarter of the House! With every such exhibition he inflicted fresh damage on the rags of his political reputation. Now, it seemed to him (Sir Edward Hamley) that neither the right hon. Gentleman nor any of his clients appreciated the situation in which they at present stood. They had had for long two alternatives open to them. The first was that which all men in their situation would adopt, especially if filled with that consciousness of their own inno-

cence which animated the hon. Member for Cork (Mr. Parnell)—namely, an appeal to a jury. The other was to accept the too indulgent offer of the Government in this Bill—too indulgent, because a good many Members thought that there was no occasion to open the doors of justice wider in order to accomodate a particular political Party. And there was yet another alternative, and that was the one which, according to all experience of the course of hon. Gentlemen opposite in this matter, they were inclined to adopt, and that was to evade all inquiry and let matters remain as they were. But let them not lay the flattering unction to their souls that because they wished matters to remain as they were, therefore matters would remain as they were. Let them not suppose that, even if they succeeded in evading a trial, there would be no trial. Why, even now a tribunal was sitting on them—the tribunal of public opinion. Every man of sense, every honest man in the Kingdom, was of the jury.

THE CHAIRMAN: I must invite the hon. and gallant Member to narrow the scope of his remarks.

SIR EDWARD HAMLEY said, the people of the country were carefully watching, with reference to this and other Amendments, the manœuvres, the shifts, the evasions, the calculated delays, and the studied abuse of hon. Members opposite, and it would probably not be long before they arrived at a verdict, and that verdict would be final. Now, he was not venturing to suggest to hon. Members opposite that they should adopt this, or that, or the other alternative. He was only pointing out to them that, do what they would, they could not evade a trial.

THE CHAIRMAN: I must again ask the hon. and gallant Member to speak to the Amendment.

MR. E. ROBERTSON (Dundee) said, he did not think it was at all necessary he should attempt to follow the hon. and gallant Gentleman in the extraordinary language he had used. He would only say that in tone and temper the speech was entirely different from anything he could have expected from the hon. and gallant Gentleman, having regard to the opinion which, perhaps, erroneously, he had been led to form of the hon. and gallant Gentleman. It was his intention to offer a few observations on the Amendment proposed by his hon. and learned Friend the Member for Dumfries (Mr. R. T. Reid), for the reason that he had himself put down on the Paper an Amendment pointing in the same direction, and which would become unnecessary if his hon. and learned Friend's Amendment were carried, but which he was afraid would be ruled out of Order if the present Amendment were rejected. He admitted that the ground had been cut away from under his feet by the speech which had been delivered by the right hon. Gentleman the Home Secretary (Mr. Matthews). That speech created in him profound astonishment, because to him, at least, it virtually changed his opinion of the character of the Bill. Since the right hon. Gentleman sat down he (Mr. E. Robertson) had taken the trouble to refer to the speech the right hon. Gentleman made on the second reading of the Bill. He was bound to admit that there was nothing in that speech, so far as he could discover from a cursory examination of it, inconsistent with the statement the right hon. Gentleman had made. He was bound also to say there was nothing in that speech which would have led them to expect he would make to-day a speech of the character he had made. But the reason why many of them were astonished at the observations of the right hon. Gentleman the Home Secretary was, that they had not taken their opinions of the Bill from his speech on the second reading. He was afraid the right hon. Gentleman's speech on the second reading made no impression on his mind at the moment at all; and if they felt the inconsistency of the position the right hon. Gentleman had taken up, it was the inconsistency between what the right hon. Gentleman said to-day and what the Government last week led them to believe was the character of the Bill. The right hon. Gentleman's was not the only speech he had consulted on this question. He had gone to higher quarters. He had gone to the speech which originally defined the character and scope of the Bill, and from which he, for one, had taken all his ideas as to the character and scope of the Bill. He would not repeat what had been said by an hon. Friend of his as to the language used by the right hon. Gentleman the First

Lord of the Treasury (Mr. W. H. Smith) in defining the scope of the Bill; but he would add to the incidents which had been alluded to that when the right hon. Gentleman the First Lord of the Treasury told them that this proposal was to be made to the House, he expressly guarded and excepted himself from any responsibility for providing an opportunity for debate on the Bill. Were they to be told that a measure of the magnitude and character now defined by the Home Secretary was to be passed through the House without the Government being responsible for giving them an opportunity of debate? In the first place, the First Lord of the Treasury, in his speech on the second reading, said—

"The measure is one which has been proposed as an alternative to that asked for by the hon. Member for Cork."

What did the hon. Member for Cork ask for? He asked for a Committee of Privilege to examine charges which had been made against him in his character as a Member of the House, and it was as an alternative to that Committee that this proposal was made by the right hon. Gentleman the First Lord of the Treasury. Then the right hon. Gentleman went on to explain why he could not accept a Committee, and the reason he gave was that a Committee would be composed of persons who were subject to political prejudice, and who, therefore, would not be impartial judges of the case affecting the hon. Member for Cork. Then he went on—

"We are of opinion that if this inquiry be entered upon it must be a searching inquiry, and must finally dispose of the charges which have been made bearing wholly or partly upon hon. Gentlemen opposite."

There was not the slightest allusion in the defining speech to any charge whatever except the charge which, in some way or other, wholly or partly bore on the hon. Member for Cork and his Friends. The object of this Amendment, and of his (Mr. E. Robertson's) Amendment, was to limit the inquiry to charges which did either wholly or partly concern the hon. Member for Cork and his Friends; and he maintained that those Amendments were entirely consistent with, and necessary to, the defining language the right hon. Gentleman the First Lord of the Treasury placed before the House when he introduced the Bill. Then the right hon. Gentleman went on—

"We do not think that we should be acting in fairness to those Gentlemen accused by or concerned in those charges if we failed to afford them the most full and complete inquiry by a judicial tribunal."

That was not quite all. The right hon. Gentleman went on not only to define the scope of the inquiry, but went on in a prophetic spirit to anticipate the result of the inquiry. He hoped that the result of the inquiry would be to clear hon. Members. There was not the slightest allusion to anybody else. Then, again, the right hon. Gentleman speculated on the character of the inquiry as well as on its result, for he said

"The issues are tremendous"—

tremendous to what?—

"tremendous to the character of the House and those concerned in this great trial, this great inquiry."

He (Mr. E. Robertson) thought he had made out a strong case to show that even if the right hon. Gentleman the Home Secretary was consistent with himself—and he did not say the right hon. Gentleman was not—he was not consistent with the language in which the right hon. Gentleman the First Lord of the Treasury introduced the Bill to the House, and to which they had a right to look for a definition of the intentions of the Government. He had only risen to justify the Amendment which he had put upon the Paper. If the right hon. Gentleman the Home Secretary had made the speech he had made to-day on the second reading, or if the right hon. Gentleman the First Lord of the Treasury had made on the second reading such a speech as the right hon. Gentleman the Home Secretary had made to-day, he (Mr. E. Robertson) would never have thought of the Amendment he had put upon the Paper, or have ventured to offer a single word in support of the Amendment of his hon. and learned Friend. Now that the right hon. Gentleman the Home Secretary had spoken, he declined to argue with the right hon. Gentleman or the Government that his Amendment or his hon. and learned Friend's Amendment was consistent with the scope of the Bill as the right hon. Gentleman had defined it. Under the circumstances, it was matter for reconsideration how they should treat this

Bill—whether it was worth while to go on proposing Amendments which were consistent with the scope and character of the Bill as originally introduced or not. Personally, he declined to say a single word in support of the Amendment he had placed upon the Paper and in support of his hon. and learned Friend's Amendment, because the character of the situation had been entirely changed by the definition they had had to-day from the right hon. Gentleman the Home Secretary.

MR. FINLAY (Inverness, &c.) said, he had listened with some interest to the speech of his hon. and learned Friend the Member for Dundee (Mr. E. Robertson) by way of justifying the charge that this morning there had been an entire change of front and new departure on the part of the Government. He apprehended that his hon. and learned Friend had entirely and absolutely failed to make good that charge. His hon. and learned Friend candidly admitted that in the speech of the right hon. Gentleman the Home Secretary he could not find a word to sustain the charge of inconsistency. The hon. and learned Member also quoted certain passages from the speech of the right hon. Gentleman the First Lord of the Treasury which would not, to any Member of the Committee except his hon. and learned Friend, possibly convey the idea that there was a trace of that new departure in regard to the Bill. What took place on the second reading of the Bill must be in the recollection of Members of the Committee. The debate partook largely of the nature of a discussion in Committee, and one topic which was very much discussed was whether the inquiry was to be confined to Members of Parliament or not. That was one of the main points around which the discussion ranged itself, and the position taken up throughout by the Government, and certainly by many hon. Members on the Opposition side of the House who approved of the Bill, was that it would be irregular and unconstitutional to confine the inquiry to those who happened to be Members of Parliament at the present time. They were told sometimes about ancient history. The debate on the second reading of the Bill could hardly have passed out of the memory of all Members sitting on that side of the House. If any hon. Member had succeeded in forgetting it, he respectfully asked the hon. Gentleman to refer to what was said upon that occasion. He apprehended that no one could read the second reading debate without seeing that this charge was lightly made and so often repeated—repeated with such boisterous emphasis that a new departure on the present occasion was utterly and absolutely destitute of foundation. If he believed that his hon. Friend the Member for the Cirencester Division of Gloucester (Mr. Winterbotham) thought the Bill as it now stood, and without this Amendment, would amount to a denial of justice to any hon. Members of the House, he certainly would be the first to vote for the Amendment. He did not believe that it amounted to a denial of justice all all. It did not in the slightest degree impair their full and absolute liberty to clear themselves of every charge that was preferred against them. Further than that, it enabled them to establish their innocence still more completely by showing who were the guilty parties, and he appealed to the common sense of the House whether there was the slightest foundation for the passionate denunciation of which they had heard so much during the last two hours about the allegation that unless this Amendment was carried the Bill would be in such a form as not to grant justice to hon. Members? He submitted that a very important principle underlay the question which was now being discussed, and it was—was there or was there not in this country a right on the part of Members of Parliament alone to have a special tribunal created for their benefit whenever a charge was brought against them—was it part of the Constitution of this country that if any charge was brought against a Member of the House of Commons he was entitled for his benefit to have a special tribunal created which would not be created in favour of anyone else? He presumed that the only case in which a special tribunal could be set up for a Member of the House was a case in which a Member's conduct could suitably be inquired into by a Select Committee. If a charge was brought against an hon. Member, affecting his conduct as a Member of the House, it might be right and proper that his conduct should be inquired into by a Select Committee;

but he apprehended that in the present case a Select Committee, almost by the confession of all, would be so constituted as to render an inquiry into these charges inconclusive. If any proof of that were wanted it would be supplied in the speech of his hon. and learned Friend the Member for Dumfries. [Mr. R. T. REID: No.] His hon. and learned Friend shouted "No."

MR. R. T. REID said he did not shout "No."

MR. FINLAY said, that in any case his hon. and learned Friend said "No." Now, if a Select Committee had been appointed, his hon. and learned Friend would very likely have been elected to serve upon it. What proof did the hon. and learned Gentleman give of the judicial temper in which Members of the House would approach such an inquiry? The hon. and learned Gentleman told them to-day that personally he absolutely and utterly declined to believe in the possibility of the truth of the charge which had been made.

MR. R. T. REID said, he did not say he declined to believe in the possibility of the charges being true; but he did say what he thought any man, with any genuine instinct, would say—that he did believe that gentlemen, some of whom he had the honour to know personally, could be guilty of the crimes imputed to them.

MR. FINLAY said, he honoured and respected his hon. and learned Friend for what he had said, and for the motives which prompted him to say it; but he maintained that the very statement the hon. and learned Gentleman had now made was the strongest possible proof of the unsuitability of Members of the House to sit in judgment upon men with whom some of them had familiar and friendly intercourse, and with regard to whose conduct as politicians some hon. Members of the House must have some very clear and definite opinion. Now, let him call attention to the Amendment before the Committee—because a great many speeches had been made which would have afforded to no one coming into the House any clue to the Amendment under discussion. The proposal was that inquiry into the conduct of persons, other than Members of Parliament, should take place only in so far as the charges and allegations against them bore upon the charges and allegations against Members of the House. What were the circumstances which had given rise to this Commission? A charge had been made against a Party—that of connection with crime and relation with criminals of a highly reprehensible kind. Some of the members of that Party happened to be Members of the House at the present time. Others were not, and it was actually proposed that the inquiry into the charges made against the Party, some of whom were in the House, and some of whom were not, should be confined to the conduct only of those who happened to be in the House at the present moment. [*Cries of* "No, no!"] That was the proposal; most certainly it was. It was proposed that the conduct of other persons should be inquired into only in so far as the charges and allegations against them bore upon the charges and allegations against Members of Parliament. That was and had been all along the meaning of the Amendment. The Amendment really introduced in another form a question which was discussed last night. He did not say that there was anything irregular. Last night they had a lengthened debate upon the question whether the inquiry should be defined in terms to the conduct of hon. Members. That was disposed of. To-day they had another debate, which really raised the same principle in another form, because it claimed that the conduct of other persons should be inquired into only in so far as it bore on the conduct of hon. Members. That was the same thing over again, and he submitted to the common sense of the House that it was perfectly preposterous that whether the Bill was justified and good, or justified only on the ground that in a matter of public interest very serious charges had been made against the whole Party, a claim should be made to limit the inquiry to the Members of the Party who happened to sit at the present moment in the House of Commons. On these grounds he should certainly feel it his duty to vote against the Amendment.

MR. JOHN MORLEY (Newcastle-upon-Tyne): Before making a remark upon the speech of the hon. and learned Gentleman the Member for Inverness (Mr. Finlay), I should like to notice one fact which was mentioned by my hon. and learned Friend the Member for North Wexford (Mr. J. E. Redmond).

[*Third Night.*]

My hon. and learned Friend told a story which, in my opinion, if it be true, if it is capable of verification, if it is incapable of denial, loads *The Times* newspaper and its conductors with something which I, as an experienced journalist, do not hesitate to call the deepest infamy. Of course, the conductors of *The Times* newspaper may have some explanation to give. My hon. and learned Friend may or may not have left out some link in the story; but if the story be true, I say it amounts to a charge which *The Times* ought not to lose one moment in answering, and answering fully and clearly. I pass now to the position taken up by my hon. and learned Friend the Member for Inverness (Mr. Finlay). I cannot understand how my hon. and learned Friend reconciles his position with the Preamble of this Bill. The Preamble of the Bill —of which the Committee has, perhaps, heard enough—begins by reciting that charges and allegations had been made against certain Members of Parliament and other persons; but the position now taken up by my hon. and learned Friend and by the right hon. Gentleman the Home Secretary, in spite of the disclaimer of the right hon. Gentleman the Chief Secretary for Ireland, does undoubtedly indicate a complete change in the purposes of this Bill. My hon. and learned Friend referred to remarks that were made in the course of the second reading; but I want to go a little further back in the history of the introduction of this Bill. The Committee will remember that this is to be an inquiry, as the right hon. Gentleman the Chief Secretary said, endorsing a remark of the right hon. Gentleman the Home Secretary, into the whole truth of organizations in Ireland and of crime in connection with those organizations. What did the right hon. Gentleman the First Lord of the Treasury say when he first announced his intention of offering such a measure as this to hon. Members from Ireland on the 12th of July? The right hon. Gentleman said—

"If hon. Gentlemen are prepared to accept the offer which has been made, I am prepared to put on the Notice Paper a Motion for leave to bring in a Bill with reference to the Judges." —(3 *Hansard*, [328] 1102.)

That was to say, that the right hon. Gentleman the First Lord of the Treasury and the Government—though their minds were, on the theory of the right hon. Gentleman the Home Secretary, full of the alarming and startling statements that had been made by *The Times* newspaper, and though the Government were bent, as the right hon. Gentleman the Chief Secretary now said, on inquiring into the whole truth about these criminal organizations—were yet prepared when they first introduced the measure, to leave it at the discretion of the hon. Member for Cork (Mr. Parnell) whether the inquiry should be made. What did the right hon. Gentleman the First Lord of the Treasury say for this Bill? And again I beg the Committee to keep in mind the pretension which is now made. At a later day, on the 16th of July, the right hon. Gentleman made a very remarkable statement which I do not think any hon. Member of the House can have forgotten. The right hon. Gentleman said—

"If the Motion"—

that is the Motion to bring in this Bill—

"is received and accepted by the House, the Bill will be immediately printed and circulated."—(*Ibid.* 1410.)

What was the Bill? The Bill was to constitute an inquiry into criminal organizations in Ireland.

MR. A. J. BALFOUR: I do not wish to interrupt the right hon. Gentleman, but I hardly think he can have been in the House when the right hon. Gentleman the First Lord of the Treasury made his statement.

MR. JOHN MORLEY: I assure the right hon. Gentleman I was in the House on that occasion. At all events, the position had been taken up, and it is now taken up by the right hon. Gentleman the Home Secretary. I certainly think that when the right hon. Gentleman the Home Secretary reads his own language to-morrow, he will readily say that I have described the position he has assumed. The position is this great inquiry—the right hon. Gentleman the Home Secretary will not deny that his language bore that construction—which is going to take place into crime in Ireland; this great inquiry during the last eight years was to be left at the discretion of the hon. Member for the City of Cork (Mr. Parnell). For what did the right hon. Gentleman the First Lord of the Treasury say? He said—

"Here is an offer made by the Government to the hon. Gentleman and his Friends to be either accepted or rejected."

Now, I ask the right hon. Gentleman the Chief Secretary, whatever he said in his remarks earlier this afternoon, whether he contends that the Commission, that the scope which the right hon. Gentleman the Home Secretary and himself wished to assign to it—whether he contends that this great operation, this great political and social operation, ought to be left to be either accepted or rejected by a single Member of the House at his own discretion? I think that disposes of the argument of my hon. and learned Friend the Member for Inverness. I want to know what the Judges are to do according to the new name given to the Bill by the right hon. Gentlemen the Home Secretary and the Chief Secretary? They are to investigate crime in Ireland. I want to know whether they are in their investigations also going to inquire into the causes of crime in Ireland? Because I, for one, very much object to setting up a tribunal to introduce the country, which will read its proceedings with such passionate interest, into a chamber of Irish agrarian horrors without, at the same time, leading the country to perceive the social conditions, the conditions of landlordism, for example, which were undoubtedly at the bottom of agrarian agitation in 1880 and 1881. If you are to have a judicial expression of opinion upon crime in Ireland, you ought to establish such a Reference to the Commission as will enable them to expose the whole social condition of Ireland. Indeed, from the Government's point of view, there ought to be two Commissions. There ought to be the Commission which this Bill first announced and introduced to inquire into the conduct of Members of Parliament, as the title of this Bill indicated, and as its Preamble also indicated; and there ought to be, according to all historical precedent, an inquiry into the social malady in Ireland by a Commission of the House of Commons, and not by a Commission of Judges. But, whether I am right or not in this, you ought to have two operations—one, an inquiry into the conduct of Members of Parliament which had caused the whole of this discussion and the whole of these transactions; and then you ought to have a Select Committee to inquire into the origin of the Land League if you pleased, and into the origin of the National League, and into all the sources from which the results of these organizations derived their life. I shall certainly vote for the Amendment, because I conceive that it is only on the condition of this Amendment being accepted that either the purpose of the Bill as originally announced will be carried out, or that the expectation of the country in respect to the Bill will be satisfied. Before I sit down I should like to make an appeal to my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain). My right hon. Friend made a very important speech upon the second reading of the Bill. I was able with satisfaction to cheer many of the positions the right hon. Gentleman took up; but the positions he took up, and which I assented to and cheered, were positions which were exactly identical to the position taken up in this Amendment. I hope the right hon. Gentleman will tell us what his view is upon this Amendment, and how he thinks it in any way incompatible with the position he took up in his speech upon the second reading.

MR. J. CHAMBERLAIN (Birmingham, W.): I had no intention of taking part in the debate, but I must reply to the appeal just made to me by my right hon. Friend. I think he is under a misapprehension. In the speech to which he refers I spoke of the possibility or desirability of somewhat limiting the charges which are brought in this Bill, and said that if the lawyers could see their way to put it in legal language I would be glad to see some limitation introduced. I do not think my right hon. Friend will find in that speech one single word which proposed any limitation as to the persons whose conduct was to be inquired into. Now, I listened with very great interest to the greater part of the speech of the hon. and learned Member for North Wexford (Mr. J. E. Redmond), and I think those who heard that speech must have been impressed, as I was, with its evident sincerity. In the first place, the hon. and learned Member challenged investigation into his own conduct, private and public, with a clearness and fulness to which no one can possibly take exception, and which, I must say, augurs very favourably for the result

of any investigation in his case. But the hon. and learned Member appears to fear that as the Bill is drawn, the Commission will be drawn away from an investigation into the serious charges which are brought against him and his Colleagues, will be led over the whole field of Irish organization and Irish crime, and that the true issues will in this way be concealed. I put it to the hon. and learned Gentleman that he is really raising a bugbear in this matter. Suppose what he fears were actually the case, and that the Commission were to be led into what is, by comparison at all events, unimportant and irrelevant matter, it seems to me that no vindication of the hon. and learned Member and his Friends would be more complete than such a course as that. If *The Times* fails to maintain its principal charges, I do not think much importance will be attached to other charges. Any attempt, as it appears to me, on the part of *The Times* to put aside those principal charges, or not to put them in the forefront, will redound to their discredit, and I do not think the hon. and learned Member need fear in the slightest degree that the charges against himself and his Colleagues will be or can be ignored. Now, let me put another point to the hon. and learned Gentleman. A man is accused of committing murder. Well, the very best way in which he can substantiate his innocence is to bring forward the man who did commit the murder. [*Laughter.*] I confess I am not clever enough to understand what is the meaning of that laughter. I think hon. Members below the Gangway must be cute enough to know I am not suggesting that that is the only way in which a man can prove his innocence. But, undoubtedly, there is no way which could be more satisfactory to the man accused of murder, and who is innocent, than the production of the guilty man. [*Cries of* "Oh, oh!"] Surely that is a simple proposition which no one will deny. Now, applying that to the flagrant charges which are brought against Members of Parliament, I want to put it to the hon. and learned Member for North Wexford whether it would not be to him and his Friends the most satisfactory conclusion of these proceedings, if not only *The Times* failed to substantiate their charges against them, but if the course of the inquiry showed who were the parties who were responsible for crime in connection with the agitation in Ireland? Surely that is a reasonable proposition; and surely, if that is a reasonable proposition, it is unwise of hon. Members to seek to limit this inquiry in such a way that other persons who may be guilty, while they are innocent, cannot be brought before the tribunal. It is said they may be brought before the tribunal if their actions bear upon the complicity of hon. Members below the Gangway. The point I was trying to make just now is that there may be no such complicity, and yet it may be desirable that the guilt of those other persons should be established. But there is another point. How are you to know beforehand whether those "other persons" whom you can show to have been closely connected and identified with crime in Ireland are in complicity with hon. Members of this House? That might come out in the course of the inquiry as the first step in the proof; and why should you limit the inquiry, which the hon. Member for North Wexford (Mr. J. E. Redmond) declares he wishes to have as full and complete as it possibly can be, by excluding all consideration of "other persons" except that limited number whose complicity can be proved with hon. Members below the Gangway? What is complicity with hon. Members below the Gangway? Why, the proof of it is the first step in this investigation. You can prove association, but association may be absolutely and entirely innocent. It may be extremely important, as a link in a chain, to show that these "other persons" are guilty, though at that point of the inquiry it may be impossible to show to the satisfaction of the Judges that there is any complicity with, though there may have been association with, hon. Gentlemen below the Gangway. Therefore, I do not think, and I again put my point to the hon. Member for North Wexford, whose speech appears to me to be entitled to the most respectful consideration of the Committee, that no investigation would be satisfactory to him or clear his Friends, which did not take cognizance of the action of other and guilty persons.

SIR WILLIAM HARCOURT: The right hon. Gentleman who has just sat

down could not possibly have made the speech he has made if he had heard the speech the Home Secretary made in answer to the hon. Member for North Wexford. He says—"You may be quite certain that you cannot be thrown into the background, that the charges against you cannot be made secondary and subordinate charges, because *The Times*, unless it brought forward the charges against the Members of Parliament as their principal charges, would be utterly discredited before the House and the country." The Home Secretary says that the charges against the Members of Parliament are not the principal charges; that he never intended them to be the principal charges. He says, in effect—"We never dreamt of dealing with the charges against Members of Parliament as the main charges, and Members of Parliament are only imported into the inquiry inasmuch as they are members of this organization." Therefore, my right hon. Friend's consolation to the hon. Member for North Wexford has gone at once—that the compilers of the Bill have laid it down that Members of Parliament are to be thrown into the background. We know very well why they do that. They have very good advisers, who have told them that the charges against Members of Parliament cannot be sustained. The Attorney General knows nothing of the views and counsels of *The Times;* but the Attorney General, like the rest of us, has general information on the subject, and he has, no doubt, read the speech of the counsel for *The Times*. He keeps his two individualities always separate, but still he cannot be less well-informed than all of us; and he, having read the speech of Sir Richard Webster in *The Times*, has, no doubt, come to the conclusion that it would not do to put the charges against Members of Parliament foremost as the best foot of *The Times*. Therefore, it is that the Government now come foward and say that the charges against Members of Parliament are only secondary, and may possibly come in at some time or other as part of the investigation into the conduct of members of the National League or the Land League. But that is not our object. I venture to say, Sir, that if they had dared earlier in the day to hold the language which the Home Secretary has held to-day, this measure would have been declared out of Order as incompatible with its title of "The Members of Parliament (Charges and Allegations) Bill." Now, I ask everybody, not only in this House, but in this country, to-morrow to read the speech of the right hon. Gentleman the Home Secretary, and compare it with the title of this Bill. We have been told by the Government that their object never was to make this a Bill especially applicable to Members of Parliament; but when they are confronted with the title of the Bill, I maintain that no one can believe the statement they have made. I say that the statement made by the Government to-day is a statement not deserving of credit, because it is absolutely inconsistent with written documents—it is absolutely inconsistent with the statements they made when the Bill was introduced. Those statements were that the Bill was brought in so much in reference to the hon. Member for the City of Cork (Mr. Parnell) that it would be proceeded with or dropped according to his desire. Therefore, the Government will be convicted to-morrow of having, for purposes which it is not difficult to define, made a statement absolutely inconsistent with the title of their Bill and with all their previous declarations. Sir, I challenge that issue, and I hope it is one upon which a public decision will be taken. Now, my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain)—and I am sorry that he has gone away—says he wishes the scope of this Bill to be restricted. My right hon. Friend, in that way, frequently gives expression to the most amiable hopes and wishes; but I never observe that he takes any step to give effect to them. It is not on this occasion alone, but also on many others, that he has got up in this House to make what might be called a Liberal speech, but he has never given a Liberal vote. He made on another Bill a speech in which he expressed the desire that certain Amendments would be introduced; but when it came to the point he voted against every Amendment which tended to carry into effect the speech he had made. Now, he has said that this Bill as it is drawn is too wide, and that he desires it to be restricted; but he finds none of the Amendments exactly to his taste, so he is going to vote against them all. He is going to vote for the carrying through of a measure of this extreme importance, know-

ing and believing that it is of a character of which the House should not approve. Why, I ask, has he not put down his own Amendments? Is he wanting in capacity; is he wanting in sufficient intelligence to prepare Amendments—is he not aware that the common sense of this country thoroughly appreciates the fact that the right hon. Gentleman the Member for West Birmingham is quite equal to the task of putting his views into practical shape when he desires to do so? The country, Sir, will give due weight to the right hon. Gentleman's declaration of a desire to modify the Bill, when he will not himself put into form what it is he desires to be done, and when he comes forward on every possible occasion for the purpose of backing proceedings of which he does not approve. That is the position in which my right hon. Friend seems to stand with reference to this matter. Here we have an Amendment absolutely conformable to the title of the Bill—that is to say, conformable to a Members of Parliament Bill so intended and so declared by the Government in its inception, so declared by the Government in their offer to the hon. Member for Cork when they told him that it rested with him whether the Bill was to be proceeded with or not proceeded with. I think no one in this House, however hon. Members may vote—no one in this House or out of it will fail to understand the double dealing which has characterized the conduct of the Government from first to last in this transaction. In my opinion, their conduct is characterized not only by conspicuous want of fair play in the manner in which it has been conceived, but by a conspicuous hypocrisy in the method in which it is endeavoured to conceal the real objects the Government have in view.

MR. MATTHEWS: The right hon. Gentleman has, in the broadest language, charged me with having put a different construction and a different meaning on the Bill to that which I put on it on the occasion of the second reading.

SIR WILLIAM HARCOURT: No, I did not.

MR. MATTHEWS: Then, with putting a different construction upon it to that which the Government had put upon it. On the occasion of the second reading, however unworthy, I was, at any rate, the spokesman of the Government.

SIR WILLIAM HARCOURT: I said nothing about the second reading. I spoke of the introduction of the Bill and of the title of the Bill.

MR. MATTHEWS: I hardly know to what the invective of the right hon. Gentleman was directed, if it was not to this, that this morning I explained for the first time what the scope of this measure was to be. I dare say the right hon. Gentleman considered the remarks I delivered to the House on the second reading of the Bill not worthy of attention; but however unworthy I might have been of the post, I was the spokesman for the Government on that occasion. I have not a report of the speech I then made by me, but I have here the notes from which I spoke. I know that on that occasion I told the House that the Government were granting an inquiry into the charges and proceedings in the case of "O'Donnell *v.* Walter." I told the House that I had done my best to gather what those proceedings were and what the charges were; and I stated two points as being, in my judgment, the main charges therein made. I said the principal charge was, that the Land League and the National League and the members thereof had used their own organization and connected organizations for the purposes of intimidation, outrage, and crime; and I said that the second charge or head of inquiry would be that the Land League and the National League and the members thereof allied themselves with the perpetrators and contrivers of intimidation and crime, and had availed themselves of their help. That was the statement I made deliberately on the second reading of the Bill, and from those observations I have not departed by one hair's breadth to-day. That was the identical statement which was before the House when hon. Members unanimously accepted the second reading of the Bill, and the quibbles—I am obliged to use the word, but I do not adopt it in any offensive sense—based upon the title of the Bill are altogether unworthy of the right hon. Gentleman opposite. The title of the Bill was framed by the Clerks at the Table.

SIR WILLIAM HARCOURT: It was in the Notice.

MR. MATTHEWS: The title was drawn up by the Clerks at the Table.

SIR WILLIAM HARCOURT: I say it was in the Notice.

MR. MATTHEWS: The Notice placed by the Leader of the House on the Paper on the 12th July was this—"A Bill to constitute a Special Commission to inquire into certain charges and allegations"——

SIR WILLIAM HARCOURT: Begin at the beginning of the Notice.

MR. MATTHEWS: I am beginning at the commencement of the Notice.

SIR WILLIAM HARCOURT: The Notice was "Mr. William Henry Smith Members of Parliament (Charges and Allegations) Bill," and so on.

MR. MATTHEWS: That was the heading put to the Notice by the Clerks at the Table. The right hon. Gentleman thinks he can throw dust in the eyes of the House, and in his attempt to do so he is hardly complimentary either to our understanding or his own. The substance of the Notice was this—

> "A Bill to constitute a Special Commission to inquire into the charges and allegations made against certain Members of Parliament and other persons by the defendants in the recent trial of an action entitled 'O'Donnell *v.* Walter and another.'"

It is not competent to cut out one-half of the phrase. Members of Parliament have some precedence given to them, no doubt, but they are put on the same footing as the "other persons" against whom charges are made. The allegation that the Government have changed their front in this matter, or have announced anything new to the House from what was in the Bill when the second reading was moved, is an allegation absolutely without foundation in fact.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): As you, Mr. Courtney, have come in after the interval for refreshment which you so well earn, and which for your sake I am sorry is not longer, I would ask permission to refer to the narrative of the history of this Bill which, no doubt, is a matter worthy of consideration by the Committee. The contention of this side of the House is, that after the acceptance of the proposal made on behalf of the Government by the Leader of the House across this Table, that proposal became a covenant, and after that covenant, which was of a most solemn kind, was made, the proposal of the Government has been absolutely and entirely changed. The original subject which the Government engaged should be brought forward has been removed from view and cast into the shade, and another and perfectly distinct subject has been substituted for it, and is now being dealt with on conditions not only different from, but absolutely incompatible with the conditions voluntarily proposed by the head of the Government. Now, Sir, I take it that I have the general assent of the House when I say that although Her Majesty's Government made in conformity with, or at least not in violation of, Parliamentary principle, the offer to a particular Member of Parliament and his Friends of making an investigation into the charges concerning them contingent on their acceptance or refusal of such an inquiry. There was another kind of inquiry which it was impossible for them, consistently with any public principle whatever, as dependent on the will of the hon. Gentleman the Member for the City of Cork or those who sat around him. The two subjects are these. One is an inquiry into the allegations which began with the publication of the famous letter of last year, and which after the disposition which has been shown by the counsel for *The Times* and by others to cast it into the shade, I think I may now without extravagance call the forged letter.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I ask to be allowed to say that I have neither directly nor indirectly said one word to justify the statement that as counsel for *The Times* I threw that letter into the shade or put it into any secondary place. So far as I am allowed to speak—and I may do so as my speech has been quoted—I may say I intended to put it forward as one of the principal allegations in the course of the case.

MR. W. E. GLADSTONE: I quite admit that what I am stating is quite in the nature of a matter of opinion, and consequently as one which cannot be decided by assertion on my part, or denial on the part of the counsel for *The Times*. The counsel for *The Times* might consequently retain the opinion which he has expressed; but I assert that, speaking generally of the allegations, the opinion is that the

counsel for *The Times* has partially withdrawn from the proceedings that letter. It is that letter and the charges connected with it with respect to which on the 12th of July the right hon. Gentleman the First Lord of the Treasury made the explicit offer—the voluntary and spontaneous offer—to the Irish Nationalist Party, of having an examination by a body consisting wholly or mainly of Judges, as to the charges made against certain Members of Parliament, and into nothing else whatever. Those were the terms of the covenant. What I contend is, that nothing would be more fatal to the character of Parliament and worthy of condemnation than that such a promise as that should be altered, after the covenant had been laid before the House, and something totally different be by degrees substituted for that to which the covenant originally related. I believe I am correct in stating—and I am not stating anything discreditable to the right hon. Gentleman when I say it, and this is only a matter of recollection, but I believe I am right in my statement—that the right hon. Gentleman read from a paper the terms of the reply which he made to my hon. Friend the Member for Cork (Mr. Parnell), and that after he had expressed an opinion unfavourable to the appointment of a Select Committee, the right hon. Gentleman said—

"The Government are willing to propose to Parliament to pass an Act appointing a Commission which should consist wholly or mainly of Judges, with full powers, as in the case of other Statutory Commissions, to inquire into the allegations and charges made against Members of Parliament by the defendants in the recent action of 'O'Donnell *v.* Walter and another.'"

That was the position in which the question was spontaneously placed by Her Majesty's Government, and to that proposition the hon. Member for Cork was requested to give an affirmative or negative answer. On that affirmative or negative answer of the hon. Member for Cork was to depend whether the Government would or would not proceed with the inquiry which they had offered to him, and which offer was repeated on the following Monday as a thing for him to accept or reject—which, if he accepted, they would go forward with, and which, if he rejected, would be heard of no more. Now, that is the original covenant offered by the Government to the hon. Member for Cork, and not refused or disowned by him at the time. For the purpose of securing perfect accuracy, I interposed in the debate. It appeared to me that a verbal offer made across the Table was one without authoritative record, and I requested, for the purpose of securing perfect accuracy, that the offer should be made in writing, and the terms of the Notice appeared upon the Notice Paper of the Friday following, when, for the first time, the words "Members of Parliament and other persons" appeared. [*Ministerial cheers.*] Yes, the words "other persons" then appeared; but it had formed no part of the covenant tendered across the Table by the First Lord of the Treasury. There can be no question at all that you have now effected a complete metamorphosis of the terms of the original offer. We have now travelled wholly out of the question of the letter of last year, and wholly out of the question of the charges against certain Members of Parliament, and we have arrived now at a point where we are plainly told that the inquiry is to extend into a long period of crime in Ireland and the method of its organization, which are matters totally separate and distinct from the promised inquiry into the conduct of certain Members of Parliament. The two things have no right to be mixed together. If charges against hon. Members are to be inquired into, the hon. Members whose conduct is impeached have a right to the privileges and immunities of accused persons. Those privileges and immunities, apparently, it has not been deemed safe to give them, and, consequently, the issue has been surreptitiously and gradually shifted until the House has now before it a totally different question from that set forth in the covenant made across the Table, which was as to charges against certain Members of Parliament. If those charges are to be gone into at all, it is only as part of a great mass of evidence involving the whole condition of Ireland and the history of every agrarian crime in that country. The question now proposed to be inquired into involves not only the condition of Ireland during recent years, but the history of agrarian crime and the history of the operations of certain Leagues alleged to be connected with it. That the issue has been so changed has been confessed, and

what is the defence that has been put forward by the Home Secretary for this change? The Home Secretary does not dispute, and he cannot deny, that there has been a total and absolute shifting of the issue. He has not attempted to deny it; but what has he said? He has raised a question as to the time when the issue was shifted, and he says that if we had attended to his speech on the second reading of the Bill, we should find that he had placed the issue much as it now stands. Well, Sir, I should like to refer to the history of that speech. The matter stands thus. The case of the hon. Member for Cork had been stated with much ability by that hon. Gentleman himself, and Her Majesty's Government did not think proper to answer it. There was danger that the debate would prematurely collapse—the Speaker rose to put the Question, and, in the extremity, to prevent a premature conclusion, I myself rose shortly before 8 o'clock, and pressed the Government to give some reply to the speech of the hon. Member. Whether they wished it or not, I held it to be a matter of obvious necessity that they should give a reply. Then came an incident which, happily for human nature, intervenes in all our lengthened sittings. The Speaker retired; with the Speaker the House retired. The Speaker returned; the Home Secretary returned; but the House did not return. The House took a more liberal view of the interval accorded, and then was delivered the speech of the Home Secretary, which might almost as well have been delivered during the 15 minutes during which the Speaker was absent. In that speech the Home Secretary, as the right hon. Gentleman has shown, boldly reversed the covenant and the engagement which had been made by the First Lord of the Treasury. He says, and I am not able to deny what he says, nor am I concerned in denying it, that he gave a description of the issues that were to go before the Judges. He says he has gathered these from the careful perusal of *Parnellism and Crime*. He brought the result of his investigation to two main propositions, which he has given us to-day from the notes he then prepared. I will not for a moment question the accuracy of those notes, but these propositions were given in a speech which I say was hardly heard by anybody except the smallest fraction of the House.

SIR RICHARD WEBSTER: By a full House.

MR. W. E. GLADSTONE: It was not a full House at the time.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): It was 9 o'clock, and there was a full House.

MR. W. E. GLADSTONE: Let that pass. It is a matter of opinion, and we have no power of confirming either view. But the right hon. Gentleman does not deny that there has been a change in the issue. He gave the main points, but he did not call attention to the fact that they were totally different from the covenant entered into by the First Lord of the Treasury. That covenant was suggested by the right hon. Gentleman with the view of obtaining an immediate answer from the hon. Member for Cork on the question of the allegations against Members of this House. According to the summary the right hon. Gentleman has read to us to-day, he dropped out Members of Parliament altogether. Will he kindly read again his notes of the two propositions in which he summed up the purposes of the inquiry?

MR. MATTHEWS: It is true that in the two propositions Members of Parliament are not mentioned; but I went on to say that the Members of Parliament had been members of the Leagues and Associations.

MR. W. E. GLADSTONE: But these two propositions were the quintessence of the inquiry. They were the charges to which the right hon. Gentleman tells us he devoted his researches. These were the points to which the inquiry was to be addressed. I do not say that he excluded the Members of Parliament, but I say that he did not include them as a portion of the main question of the inquiry; and I say, therefore, that according to his own account the covenant entered into by the First Lord of the Treasury was, without any intimation to the House, absolutely and entirely changed. Now, Sir, we are involved in another question altogether—the question whether the affairs of the Land League in 1881 and 1882 ought or ought not to be examined into. Well, Sir, if it be the general sense of the House after all that has happened, that there should be an inquiry into the Land

League and its proceedings, I, for my part, do not know that I am called upon in any way to make an objection; but I feel with a Member who spoke on this side of the House, and with no less a person than the right hon. Gentleman near me, that you cannot look into the acts of the Land League without asking what it was that gave force and efficiency to the League—what it was that made the League a great power, almost omnipotent in Ireland. You cannot refrain from inquiry as to the way in which force was given to the League by the decision of the House of Lords in 1880, when they refused the very moderate and limited Bill proposed by our Government, and a more moderate and limited Bill than that was for the purpose it would be difficult to find. The rejection of that Bill threw the whole of the Land Question into confusion, and had by casting upon the people of Ireland all the consequences of distress and of bad seasons, made the Land League and its promoters practically omnipotent in the country for the time, and has brought the Land Question into a position from which it has never since escaped. For my part, I do not care to inquire why it is that the issue has been changed. It has been totally changed. A great deal that was alluded to by the First Lord of the Treasury when he authoritatively gave the basis that the circumscription of this project has disappeared entirely from view in the speech of the Home Secretary, which speech he says he made as the spokesman of the Government; and, on the other hand, that which the right hon. Gentleman produced as the purpose of the inquiry embodied in his two important propositions—which I will not attempt, for fear my memory should fail me, to repeat textually—refer mainly to the Land League and the National League in Ireland and the consequences of their operations, and did not so much as touch upon the purposes described by the First Lord of the Treasury. Under the circumstances, I may say it is not inconsistent, but rather in keeping with the rest of the proceedings of the Government that the time they are devoting to the prosecution of their plans is time which was obtained from the House for an entirely different purpose. Statements were made across the Table as to what the Government proposed to do and what they proposed not to do, and I, for one, did my best to assist the right hon. Gentleman the Leader of the House in obtaining absolute command of the House. The House agreed to give the Government its time, and in that way time was obtained for one purpose which is now being largely applied to another purpose. The Government must not shut their eyes to the fact of the principle they have established in the course they have adopted, and they must not shut their eyes as to what may be the effect of their action upon future transactions across the Table in this House with regard to arrangements for the conduct of Government Business. I contend that it is not easy when so astonishing an operation takes place as the complete conversion and inversion by the Government of a scheme propounded by them as a matter of solemn arrangement, it is not easy to fix on a particular moment as the epoch of the transformation. The introduction of the words "other persons" clearly did not effect the transformation. It opened the door to the transformation, which was made gradually, and it was quite evident that it was meant through that door to let in the transformation, but the right hon. Gentleman the Home Secretary has no right to put upon what has occurred the construction we have heard from him. By degrees we see what the transformation is, and it may become a matter of prudence with us to consider what course we shall take in the matter. One thing which we certainly shall do is this. We shall take care that the country shall understand that in the most solemn and formal manner an engagement was entered into by a minister—who read it from a paper and most properly read from it, so solemn was the transaction—to consider one thing, while now we are asked to consider another and an entirely different thing.

MR. A. J. BALFOUR: There are a good many things in the speech to which we have just listened upon which I confess I should like to comment. I should like to call attention to the amazing delivery by the right hon. Gentleman of a decision that the letters with which we have been so much concerned were, in his opinion, forged letters. I never heard of such an unusual course being taken as that a Gentleman occupy-

ing the position of the right hon. Gentleman on the eve of a judicial Commission being appointed to inquire into these and other facts should pronounce upon the very issues on which the Commission were called upon to decide.

MR. W. E. GLADSTONE: What I said was this—that in consequence of the manner in which this letter had been put forward as the head and front of the inquiry, and owing to the extraordinary manner, not consistent I think with good faith, in which it has been withdrawn from view and cast into the shade, I am compelled to say that there must be a motive for such a proceeding.

MR. A. J. BALFOUR: The right hon. Gentleman now says that he cannot conceive what the motive could have been; but he told the Committee what in his opinion the motive was very plainly when he made his original speech. Be the inference good or bad, I say it is a most unusual and improper proceeding for the right hon. Gentleman thus to give his conclusions on a matter which is to be submitted to a judicial tribunal, before that tribunal meets. I should like to say a few words as to the right hon. Gentleman's historic views of what occurred in 1881; but I pass by that to come to what, after all, is more relevant to the present issue—namely, the history of what happened last week, and of that history, I am bound to say, the right hon. Gentleman has given a most incorrect version to the House. The right hon. Gentleman said that the terms of a covenant were laid before the House by the Leader of the House on Thursday afternoon, and that there was evidence that the terms of that covenant omitted the words "other persons"—that these words were, so to speak, surreptitiously introduced on the Paper on Thursday night.

MR. T. M. HEALY: Friday night.

MR. A. J. BALFOUR: The Notice appeared in Friday's Paper.

MR. T. M. HEALY: No; Saturday's Paper. That is the whole point.

MR. A. J. BALFOUR: I believe it was Friday's Paper.

MR. T. M. HEALY (emphatically): No; it was Saturday's Paper. That, I say, is the whole point.

MR. A. J. BALFOUR: The Committee will see directly that that is not the whole point. My right hon. Friend (Mr. Ritchie) will refer to the Paper and verify the statement I have made. The allegation of the right hon. Gentleman is that the terms of the covenant were enunciated by my right hon. Friend on Thursday; that the terms of the covenant were departed from, and that in departing from it, the Government were guilty of a breach of faith. I emphatically say that the intention of the Government with regard to the words "other persons" has not wavered from the beginning. There was a meeting of a committee of the Cabinet on Wednesday. On Wednesday the terms of the offer which was to be made were decided upon. They included the words "other persons." The Cabinet met on Thursday, and according to the decision of the Cabinet the words "other persons" still remained in, and my right hon. Friend put on the Paper a Resolution asking leave to bring in a Bill. The Resolution was drawn up with such completeness and detail that practically the whole substance of the Bill was put within the cognizance of Members, and in that Resolution the words "other persons" were included.

MR. W. E. GLADSTONE: My statement was, that they did not appear in the formal words read by the First Lord of the Treasury from a Paper at that box as the basis of his offer to the hon. Member for Cork and as the description of his policy to the House.

MR. A. J. BALFOUR: If the right hon. Gentleman had allowed me to pursue my speech, I should have dealt with that point. The question at issue is this—which was the formal offer which the hon. Member for Cork was called upon to accept or reject? I am in a position to state what the Government considered the formal offer for this reason—I was present at and took part in the discussions in which the Cabinet determined that it was only fair that the hon. Member for Cork, before he came to a decision on this point, should have before him not merely the ordinary jejune title of a Bill to be introduced, but that the Resolution asking leave to bring in the Bill should be of a full, complete, and exhaustive character, so that when the hon. Member for Cork saw it on the Paper he might say that he rejected or accepted it in full cognizance of what he was doing. In the opinion of the Government, at all events, the formal offer

made to the hon. Member for Cork was not made in the communication of my right hon. Friend across the Table on Thursday, but was deliberately made in the full, complete, and exhaustive statement which we put on the Paper on Friday.

MR. T. M. HEALY: On Monday.

MR. A. J. BALFOUR: And which appeared, therefore, for the first time on Monday. I think I have fully answered this part of the case of the right hon. Gentleman opposite. Then the right hon. Gentleman went on to say that my right hon. Friend the Home Secretary had taken the opportunity of a comparatively empty House on the second reading, to put an entirely new complexion on the proposal of the Government. What happened on Friday was this. The right hon. Gentleman made a speech which lasted until the Speaker went out for dinner. He knew that when he sat down he would be followed by the Home Secretary. The right hon. Gentleman said the House does not necessarily come back when the Speaker comes back. "The Speaker came back," says the right hon. Gentleman, "the Home Secretary came back, but the House did not come back." Sir, the House came back, but the right hon. Gentleman did not come back. The right hon. Gentleman made his speech; he knew he was going to be answered by the Minister in charge of the Bill, but knowing that, he did not care to sacrifice his dinner and come back to the House. Now, however, he accuses my right hon. Friend of having sprung this proposal on the House at a time when the House was not full. A more astonishing statement I never heard. It may astonish the right hon. Gentleman, but it is nevertheless true that the House was a full House, though he was not in it. The right hon. Gentleman said that the Government have made surreptitious changes in the objects we have in view. Now, I could understand the right hon. Gentleman's argument if we had introduced Amendments into this Bill which we had imperfectly explained to the House, and which contained within them the seeds of change which ultimately bore fruit, but can we be accused of making a surreptitious change when we have made no change at all? We have not altered the Bill by a line, we have not altered it by a comma. The Bill has been brought in in exact conformity with the Notice which has been given. It has been in the possession of the House for nearly a fortnight, and has been debated at length on the second reading. Not only was the Bill debated for a long time on the second reading, but these words now in point, "and other persons," were in the Bill, and were debated with it. The hon. Member for Cork is as perfectly well qualified as we are to make out what the legal effect of the Bill put upon the Table will be. That legal effect does not depend upon the will of the Government. If the proposal of the Government is adopted, and turns out as we expect it—well and good—but it will not be in the power of the Government to alter it. Hon. Members know what our objects are. They are now what they have always been, and I submit that it is rather too hard on the part of the right hon. Gentleman to say that within the last 10 days the Government, who, so far as the substance of the Bill is concerned, have remained absolutely quiescent, have, with some sinister design, turned this important inquiry off the track till it is lost in some Serbonian bog of small details and petty investigations. I am unwilling to trespass further on the time of the Committee. I think I have shown by the history of last week and by the comments I have made on the right hon. Gentleman's speech, that nothing can be more hollow, nothing less capable of withstanding criticism, than the case he has attempted to make against the good faith which throughout all their proceedings has animated the Government.

MR. W. E. GLADSTONE said, he had not intended to make any personal charge against the right hon. Gentleman the Home Secretary for making his speech on the second reading at the time he did. He had stated that it was delivered to an inadequate audience, but he did not wish to imply that that was the fault of the right hon. Gentleman.

MR. T. M. HEALY said, it was a remarkable fact that the Committee should be discussing a matter affecting the conduct and character of the Leader of the House in the absence of that right hon. Gentleman. The right hon. Gentleman the Chief Secretary had said that it was

a matter of some importance as to what was the date when the Notice was given. The demon of inaccuracy seemed to pursue the right hon. Gentleman. He had stated that the Notice was upon the Paper on Thursday; but, as a matter of fact, it was not put upon the Paper until Friday night. When the right hon. Gentleman's statement was disputed, "Oh," said he, "my right hon. Friend the President of the Local Government Board will look up the Notice and see whether those who interrupt me are right or not." Well, the right hon. Gentleman the President of the Local Government Board had made his researches, but the result had not been announced to the House.

MR. A. J. BALFOUR said, that in the latter part of his observations he had stated that the Notice was put upon the Paper on Saturday and appeared on Monday.

MR. T. M. HEALY said, they would now see how history as written by *Hansard* agreed with history as stated by the right hon. Gentleman. The right hon. Gentleman had stated that at all times hon. Members were in possession of the fact that the conduct of "Members of Parliament and other persons" was to be inquired into. He said that on Wednesday the Committee of the Cabinet, who were especially charged with this matter, met and decided on a certain thing. He said that on Thursday the Cabinet itself met, and full of the idea that was in their breast at the time, and having knowledge of the views of their own Committee, deliberately adopted the terms of the Reference, including inquiry into the conduct of "other persons" as well as Members of Parliament. Well, the Cabinet met on Thursday, and on Thursday what happened? Why, on Thursday the hon. Member for Cork came down and asked whether a Select Committee would be granted; and what was the answer given? Why, the answer read off from a written Paper, and no doubt prepared as the result of the gravest deliberation, not only by the Cabinet on Thursday, but by the Committee of the Cabinet on Wednesday, was to this effect—after those two different Bodies had scrutinized and examined the whole matter, what did the First Lord of the Treasury say in reply, not only to one question, but to a second question? Why this—

"The Government retain the opinion which they had expressed, in which the House concurred by a large majority last year, that the proposed tribunal is altogether unfit to deal with the question—limited as it is in scope and character—which the hon. Member proposes to refer to it; but they are willing to propose to Parliament to pass an Act appointing a Commission, which should consist wholly or mainly of Judges, with full powers as in the case of other Statutory Commissions, to inquire into the allegations and charges made against Members of Parliament by the defendants in the recent action of 'O'Donnell *v.* Walter and another.'"

But that was not all. It was not even half. What did they find—and they must remember that this was with regard to a matter settled by a special Committee of the Cabinet, in consultation with the counsel for *The Times* then and there present—had happened? The hon. Member for Cork asked—

"Does the right hon. Gentleman propose to place on the Notice Paper the terms of his Motion with regard to the Bill which will be necessary for the Act of Parliament to which he has referred?

Mr. W. H. SMITH: If hon. Gentlemen are prepared to accept the offer which has been made, I am prepared to put on the Notice a Motion for leave to bring in a Bill with reference to the Judges.

Mr. W. E. GLADSTONE (Edinburgh, Mid Lothian): As the precise terms of the Notice will probably go far to determine the character of the Bill, I think that they should be placed on the Paper, so that we may have them in an absolutely authentic form.

Mr. W. H. SMITH: I will place them on the Paper to-morrow, for Monday."

[*Ministerial cheers.*] Hon. Members opposite would not cheer so loudly presently. This occurred on the 12th July. Then, on the 16th July, which was the Monday, the right hon. Gentleman's Notice having appeared on the Paper, and having, as they learned that day for the first time in the statement of the Home Secretary, had a heading placed to it by the Clerks at the Table—a statement which he did not propose to controvert—other questions were asked which he would presently go into. First, however, with regard to this heading, the counsel for *The Times*, who was apparently taking up the modest position in this House of entire aloofment from everything that was going on, said it was the Clerk at the Table who had called the Bill "The Members of Parliament (Charges and Allegations) Bill." But as he (Mr. T. M. Healy) was informed on the Friday night, the

hon. and learned Gentleman sent up a communication to *The Times* in his own handwriting, a communication which was still extant, which was more than could be said of the forged letters—containing the title of the Bill as it stood at the present moment on the Paper.

SIR RICHARD WEBSTER: The hon. Member is absolutely misinformed. I did not send up any communication on that occasion to *The Times* containing the title of the Bill.

MR. T. M. HEALY said, that if the hon. and learned Gentleman said that the communication was not in his handwriting, he (Mr. T. M. Healy) should be very glad to do what the hon. and learned Gentleman refused to do in the case of statements of the Irish Members as to handwriting—namely, accept the hon. and learned Gentleman's disavowal. He would ask the hon. and learned Gentleman, however, first to say absolutely that no communication was sent by him.

SIR RICHARD WEBSTER: Beyond stating to a member of the Press, and who was not a representative of *The Times*, who asked me whether the Notice had been handed in —— ["Oh!"] It is my hon. and learned Friend over there who interrupts me. Beyond answering the inquiry of a representative of the Press, who asked me whether the Notice had been handed in, which I did after having spoken to the Clerk at the Table, I did nothing whatever of the kind suggested by the hon. Gentleman.

MR. ANDERSON: The hon. and learned Attorney General referred, I believe, to me as having interrupted him. I did not utter one syllable.

SIR RICHARD WEBSTER: I apologize to my hon. and learned Friend.

MR. T. M. HEALY said, he accepted the disavowal of the hon. and learned Attorney General, and apologized for having made the statement; but a communication was sent to *The Times* that night.

SIR RICHARD WEBSTER: I wish the House to know exactly what happened. I made no communication of any kind containing the title of the Bill, or anything to anybody. One of the Clerks, having the Notice before him, showed me the title that night—I think it was the Gentleman sitting on the left—having the Notice before him, showed me the title which had been written out by himself, I believe, and simply asked me whether it would do? I said I knew nothing about the question of drawing the title. I had not sufficient experience to know how it was done. If it was not the Clerk at the Table, it was the very courteous gentleman we see at the Bill Office, who on meeting me asked me whether the title would do? I said I knew nothing about it, and that the matter was settled entirely by the officials without me, and I deny absolutely having had anything whatever to do with fixing the title of the Bill.

MR. T. M. HEALY said, that after the statement of the Home Secretary that the title was absolutely fixed by the Clerk at the Table, they now found that it was submitted to the counsel for *The Times*. ["Oh!" *and* "Hear, hear!"] Then why did the Clerk at the Table go to the hon. and learned Attorney General, unless it was because he knew that he was going to the right man—because he knew he was going to the Gentleman who was immediately concerned for *The Times?* Therefore, they found that the Clerk at the Table, having drawn up the Reference, submitted it to the Attorney General, and then, after that submission, a communication was made to *The Times* as to the exact title. On the Monday night, after the Notice appeared on the Paper, the hon. Member for Cork said—

"I wish to ask the right hon. Gentleman the First Lord of the Treasury, in view of the fact that the Government have full power over the order of Business for to-day, both as regards Orders of the Day and Notices of Motion, and that the Notice of Motion with respect to the Members of Parliament (Charges and Allegations) Bill is placed by the Government after 31 Orders of the Day, and after 4 Notices of Motion, whether we are to understand that its place on the Notice Paper is a measure of the importance with which the Government views the Bill in question? . . . .

MR. W. H. SMITH: The hon. Gentleman asks me whether I attach to this Order the relative importance which belongs to the position in which it stands on the Order Book? Sir, the Bill of which I have given Notice is a Bill to be introduced in accordance with the offer that I made to the hon. Gentleman and those who are associated with him. It is for him to say whether he will accept the proposal of the Government. I do not desire to debate that proposal; and I put it in its position on the Order Book, in order that it may be rejected or accepted by the hon. Member in the form in which it stands. If the Motion is received and accepted

by the House, the Bill will be immediately printed and circulated, and I will then name a day for the second reading. But I may say frankly that I do not anticipate being able to make provision for debate on the second reading of a measure of this kind. It was an offer made by the Government to the hon. Member and his Friends to be either accepted or rejected."

On the very Friday, after that offer had been made by the right hon. Gentleman to the hon. Member for Cork, there appeared in *The Times* a leading article attacking his hon. Friend, because he did not, on the spot, spring up and accept the offer. Under those circumstances, he (Mr. T. M. Healy) maintained that they were entitled to-day to the presence of the First Lord of the Treasury, and the reason he gave for it was this—that transaction, it was said, was settled by the Cabinet Council on Wednesday. The terms were settled by the Cabinet on Thursday, and a whole 24 hours intervened before the Notice was handed in at the Table, between 11 and 12 o'clock on Friday night. Was it on that Friday that Walter visited the right hon. Gentleman? What was the date of the visit of Walter, and of Buckle who accompanied him, to the First Lord of the Treasury? He would ask this. The First Lord of the Treasury said last night that Walter visited him, because he was his old friend. Was Buckle also his "old friend?" What did Buckle come down for? They were entitled to know from the First Lord of the Treasury what was the date of the duplicate visit from Buckle and Walter. If they were to give facts their proper application, and if they were to draw reasonable conclusions from the conduct of the Government, they must conclude that it was on the Friday, after Walter and Buckle had read in the public prints the statements made by the First Lord of the Treasury on Thursday, that this pair of worthies came to remonstrate with the right hon. Gentleman. If that were not the case, let the House have the date. It would not do to tell them what did not take place at that interview; what they wanted to know was what did take place. They wanted to know what took place at that interview. The right hon. Gentleman the First Lord of the Treasury said "What Mr. Walter said did not affect me." But what did he do, and what did he bring Buckle there for? He would also remind the House of another extraordinary matter, that at that time there appeared in *The Times* this remarkable statement, "We regard letters only as secondary evidence." To-day the right hon. Gentleman the Home Secretary said the charges against Members of Parliament were not primary but secondary charges, and so the forged letters were the secondary evidence of secondary charges. Yet the hon. Member for Oldham (Mr. Lees) and the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) said, "Disprove the letters and you will dissipate the entire cloud of suspicion which is hanging over you." Yes; but the right hon. Gentleman the Home Secretary said that the charges against others are primary charges, and *The Times* says that the letters are secondary evidence of the charges. It was quite clear in the mind of the Government and the accusers of hon. Members that, so far as the main and chief purpose of this inquiry was concerned, these letters sank into insignificance and might be relegated to the dim and distant future. Irish Members wanted to pin the forgers of the letters. What the Government said was—"Oh, no; we will run the League to bay over the flowers and blossoms of Land League crime, and if it suits us some years hence we will then begin to inquire into these forged letters." Let him remind hon. Members of the time when their own characters were affected. Under the Corrupt Practices Act it took an Act of Parliament to get evidence of bribery and corruption to get at Members in whose interest those acts were alleged to have been committed; but the Government proposed this Bill, and put in charges and allegations made against Members of Parliament and others, so that they could get evidence as to crime committed no less than 15 years ago. Every speech made and every action done in that time they could enter into before any single charge or allegation might be made against any single Member. That was the way this Bill was framed. He said they were entitled to this—that the Government should first inquire into charges against Members of Parliament, and that when they had done that, if they could, connect Irish Members with the murders, outrages, and crimes. The

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plan of the Government was to invert the natural order. They framed the Bill so that they might inquire into every crime committed for 20 or 30 years, whether relevant or not, and then having concocted a dainty dish to lay before Primrose Dames, when perhaps no attempt had been made, as far as Irish Members knew, to connect them with crime, the Government might close their case, and the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) would say—"Yes, it is quite true. It is owing to the way the Bill was framed. I would have put in the exact words." It would be said—"The Commissioners held their inquiry and gave us a vast body of evidence by which we may judge of the fitness of your people for Home Rule; they have given us a picture of the Irish people to enable us to show their fitness for Home Rule." What the Irish Members wanted and claimed was this, that if the Government had allegations against them, they should be made apart from the allegations to be made against those who made them; but if they proposed to go into this long and sad drama of Irish crime they must investigate the causes as well as the effects. He said that for a Government proposing to act generously and nobly, simply to inquire into crime at a distant time committed by other men unconnected with the House of Commons, was not only futile, but absurd. Had they not got statistics of crime presented every day to that House? Had they no records of accusations for those murders, and in every shape and form the exact account and measure of what those crimes were? The Government pretended not to want to connect Irish Members with those crimes, and they challenged the Government, they dared them, and invited them to say why, if it was not merely to pile up a ghastly crop of crime—which they could out of the Blue Books if they liked, —they did not limit the inquiry as they demanded? The right hon. Gentleman the Home Secretary and the hon. and learned Solicitor General for Scotland said on the second reading of the Bill if they did not put in the words "and others" they would exclude the acts of Egan, Ford, Byrne, and Sheridan. Now this proposal was not to omit the words "and others," but to insert after them "who are found in complicity and connection with Members of Parliament," and, therefore, the argument on the second reading that to omit the words "and others" would prevent investigation of the cases of Ford, Byrne, Egan, and Sheridan, fell to the ground. They could investigate here every act of every Member of Parliament in connection with these men. But the Government wanted to go on a wider range. If so, they did not need to go beyond their own Blue Books, and Irish Members demanded that the inquiry should not be confined and restricted to acts on one side. They would ask that the acts on the other side should be considered. If agrarian crime was to be gone into, there must be inquiry into causes as well as effects; into rack-renting and evictions, pauperism and emigration, and into the treatment and deaths of prisoners. If they were to go into *Parnellism and Crime*, why should they not have *Balfourism and Crime*, *Landlordism and Crime*, or *Orangeism and Crime*? There were more deaths in the town of Belfast in consequence of the speeches made by hon Gentlemen opposite, who, as the right hon. Gentleman the Member for West Birmingham had said, were men of rank and station—there had been more murder and outrage in the North of Ireland in three weeks from the passions excited by Ministerialists and Orange speeches than could be proved to have taken place in three years in connection with the Land League movement. If the Government insisted on extending and widening the terms of Reference, they must do so with the exposure which the Irish Members would make of their objects. It was not that the Government wanted to get at the truth, or that they wanted to get a picture of what had taken place in Ireland for the last eight years; that picture might be seen, among other things, in the charred ruins of many a home, and in the workhouse wards and poor-houses in Ireland. All those things were worthy of inquiry—the dispersal of the Irish peasantry, the destruction of their homes; all these went to make up a question of liability and responsibility for crime in Ireland, as well as the speeches made in Ennis in October, 1880. Irish Members maintained and claimed that, if the Government persisted in this broad, general inquiry, their purposes were not truth and

honesty, but malignity and the endeavour still more to stir up the prejudice of the English people so that they might be able to retain their seats and salaries. It was said that the inquiry was intended to get at the truth. Yes; the Government truth, but not "the" truth. If they wanted that they must go into the entire matter; if they wanted the Government truth they must simply get a new edition of *The Newgate Calendar*; if they wanted history, Irish Members wanted history, not as written by the author of *The Defence of Philosophic Doubt*, but as it stood written by the Coroner's jury on the death of John Mandeville and others. The Government, backed by the Unionist Party and the hon. and learned Gentleman above the Gangway, were not doing this thing in love for truth, but as a mere political manœuvre and vendetta. When the right hon. Member for West Birmingham said he was no lawyer, he asked the right hon. Gentleman had he no assistants? Had he not the assistance of the hon. and learned Member for Inverness (Mr. Finlay)? And were Members for Ireland to suppose there was so little collegiality with the learned Queen's Counsel who was Member for Inverness that the right hon. Gentleman could not turn round his head and say to him—"Would you not now, out of collegiality, draw me up this little Amendment which I am so anxious to move?" Was it to be supposed that the draft he made on the good nature of his Unionist Friend would be so great that it would meet with no response? The introduction which the hon. and learned Member for Inverness had granted the Committee into the sanctuary of his mind and conscience in his speech was an extremely valuable one, for it charged that the hon. and learned Member for Dumfries (Mr. R. T. Reid) was an unfit person to sit on a Select Committee to inquire into these charges because he did not believe in advance in the guilt of the Gentlemen accused.

MR. FINLAY said, he never said anything of the kind. He had said that no Committee of Inquiry should consist of Gentlemen who had made up their minds beforehand one way or the other.

MR. T. M. HEALY said, he understood that the hon. and learned Gentleman never expressed his opinion that the men were innocent of these charges; because the hon. and learned Member for Dumfries (Mr. R. T. Reid) adopted the Common Law view with regard to their conduct, and the un-common law view taken by the hon. and learned Gentleman the Member for Inverness (Mr. Finlay), and amongst the Unionists of that quarter, was that because his hon. and learned Friend had not convinced himself in advance of the guilt of the Irish Party, he was an unworthy and unfit person to sit on this Commission. That, he said, gave Irish Members the measure of the fair play which they were receiving in that House. They had asked for inquiry, and they granted they got it on certain terms. That was the great point of the Cabinet; the great point of the right hon. Gentleman the First Lord of the Treasury, who skulked behind that Chair and would not come out before the House. [*Cries of* "Order!" *and* "Withdraw!"]

MR. AIRD (Paddington, N.) said, he rose to Order. He asked whether it was right for the hon. and learned Member for North Longford to say of the First Lord of the Treasury, that he was skulking behind the Chair?

THE CHAIRMAN said, that the expression to which the hon. Gentleman referred was undoubtedly strong. It was also one on which, perhaps, the opinions of some hon. Members would differ from the opinion of others.

MR. T. M. HEALY said, he would withdraw it when the right hon. Gentleman came into the House. He would then change the expression, and ask him, "Why did he linger behind the Chair?" He trusted the right hon. Gentleman would not feel offended if, when he returned, he was greeted from that side of the House with cries of "Welcome, little stranger."

MR. JOHNSTON (Belfast, S.) said, he rose to Order. He asked whether the expressions of the hon. and learned Member were proper, considering that the First Lord of the Treasury was suffering under a domestic affliction?

MR. T. M. HEALY said, he now heard of the circumstance for the first time, and he unhesitatingly expressed his regret for having commented on the right hon. Gentleman's absence. It was not to be supposed that communications passed from the opposite Benches to that part of the House, and Irish Members

were entirely ignorant of the cause of the right hon. Gentleman's absence. Under the circumstances, he said, in conclusion, that Irish Members had not got from the right hon. Gentleman a proposal in conformity with the pledge he gave, that they should have this Bill confined to Members of Parliament. To enlarge the scope of the Commission, as the Government were now doing, by going into a general inquiry extending over 10 or 15 years, was to take a course which could only end in obscuring the position of hon. Members with regard to these charges with a cloud of words and devious allegations. He said that if any regard for the character of hon. Members of that House still prevailed, the Committee ought still to insist that this inquiry should be confined to such matters as those in respect of which other persons could be proved to have been in complicity with hon. Members on those Benches.

MR. W. E. GLADSTONE: A question of great importance has been raised in the course of this debate by the statement of the right hon. Gentleman the Chief Secretary for Ireland, which evidently requires, on the present occasion, or upon some very early occasion, to receive a full explanation from the Government. I learn, with deep regret, the cause of the absence of the First Lord of the Treasury. It is possible that one of his Colleagues may answer the question I am going to put; but, if no answer is now given, an answer is absolutely necessary at an early period. We have been told by the Chief Secretary for Ireland that on Wednesday, July 11th, a Committee of the Cabinet met and formed the opinion that it was necessary—not merely desirable—that the Government should press for an inquiry into charges and allegations against Members of Parliament "and others." That was the proceeding of Wednesday. Then we are told that on Thursday the Cabinet confirmed that conclusion of its Committee, so that, therefore, they determined on Thursday in Cabinet, as on Wednesday in Committee of Cabinet, that the inquiry should not be confined to Members of Parliament, but extend to other persons. On the same day the First Lord of the Treasury came to the House and read an answer from a written paper to an appeal of the hon. Member for Cork, and he made a definite proposal to the hon. Member, which was distinctly confined to Members of Parliament, and which was also distinctly at variance with what we have been informed to-day was the solemn decision of the Cabinet. Seeing three or four Members of the Cabinet opposite me, I wish to know how it was, if the Cabinet had come to a positive determination to include in the inquiry other persons besides Members of Parliament, that the First Lord of the Treasury, speaking on behalf of the Cabinet and making the proposal to the hon. Member for Cork, varied the covenant and declared that the intention of the Cabinet was not that the inquiry should extend to other persons, but that it should extend to the charges and allegations against Members of Parliament alone?

MR. A. J. BALFOUR: The account I gave to the Committee half-an-hour ago is, I believe, absolutely accurate. The right hon. Gentleman opposite has repeated the statement made by him in a former speech, that the announcement of the First Lord of the Treasury on the Thursday contained a definite offer which the hon. Member for Cork was to accept or reject. I have not had an opportunity of referring to *Hansard;* but I have heard what the hon. and learned Member for North Longford has read from it, that the right hon. Gentleman himself had said—"We must have the offer in writing in order that we may see what it is all about." Well, the right hon. Gentleman got it in writing, and the writing was in exact conformity, as I have before stated, with the decision arrived at on the Wednesday by the Committee of the Cabinet, and on the Thursday by the whole Cabinet. If the right hon. Gentleman asks me how it is that my right hon. Friend did not on the Thursday read the particular words to which attention has been drawn, I can only express my surprise that he should not have done so, and I suppose that the omission was a mere slip.

SIR WILLIAM HARCOURT: The right hon. Gentleman, with his usual ingenuity, has answered everything except the question put to him. He has stated that on Wednesday the Committee of the Cabinet met and considered the material part of their decision, to the effect that the inquiry was to em-

brace not only Members of Parliament, but other persons as well. The right hon. Gentleman says that the Cabinet met on the Thursday, and that also before that Cabinet meeting the material question was the inclusion of other persons besides Members of Parliament.

MR. A. J. BALFOUR: I said that the Cabinet confirmed the decision of the Committee.

SIR WILLIAM HARCOURT: Quite so. Well, the First Lord of the Treasury, who is not a careless or inaccurate man, takes care to come to this House to announce the decision of the Cabinet in writing. He stands up at the Table and announces the decision of the Committee of the Cabinet and of the Cabinet, and he has drawn up what is in effect a Minute of the decision of the Cabinet, and that Minute, which he read to the House, does not contain the smallest allusion to anybody except Members of Parliament. That is the point on which we are entitled to a reply.

MR. GOSCHEN: The right hon. Gentleman has already received a reply, but he will not accept any reply. [*Cries of* "Oh!"] Yes; it has been stated several times that the First Lord of the Treasury was himself under the impression that he used the words "and others" when he made his statement in the House. He has stated that here in this House, and if he did not use the words it was simply a slip. [*Laughter.*] Of course, if the word of a Member of the Government is not to be accepted, we can have no more to say. The right hon. Gentleman asks what took place. I stated it yesterday, and my right hon. Friend the Chief Secretary for Ireland has stated it to-day more fully. The Cabinet had agreed to the words "and others." They were part of their policy on the Wednesday, and they were part of their policy on Thursday, and the First Lord of the Treasury has stated that he was under the impression at the time that he had used the words. However many speeches you may make, you cannot alter the fact that from the beginning the words "and others" were a part of the intention of the Government.

MR. W. E. GLADSTONE: The right hon. Gentleman has, I think, rather worsened the case; because he says that the First Lord of the Treasury, who came down to announce to the House an important decision of the Cabinet, by a slip omitted from his written answer which he had prepared, words which we now find have completely reversed and metamorphosed the nature of his proposal. His declaration to the House was tendered as a covenant to the hon. Member for Cork, and the hon. Member for Cork was invited to accept or reject the offer made to him, and not only did this extraordinary fact happen that the First Lord of the Treasury by a slip omitted the most essential part of it, but likewise that six or seven Cabinet Ministers who were sitting on the Bench beside him, and who heard him read this written announcement of the decision of the Cabinet—these six or seven Cabinet Ministers, all and each of them, all made a similar slip. They were totally unaware that the essential words—the turning words upon which everything that has since taken place has been founded—were omitted, and according to the luminous statement of the Chancellor of the Exchequer, it appears that they all simultaneously and instinctively fell into the slip of the First Lord of the Treasury, and completely forgot the important decision on which they were engaged on Wednesday in Committee, and on the Thursday in the Cabinet.

MR. GOSCHEN: The right hon. Gentleman has not improved his position. He does not answer my challenge. I can only gather from his speech that he disbelieves the statement of my right hon. Friend. I do most profoundly regret, and I shall regret always, that the right hon. Gentleman—[*Laughter*]—Oh, I have nothing to do with hon. Gentlemen below the Gangway opposite who laugh. I have to do with the right hon. Gentleman, who has been for more than 50 years in political life. I deeply regret that he will not take the word of Members of the Cabinet. I am quite sure that, in the course of the 50 years during which he has taken so prominent a part in this House in politics, never has he acted as he has now. I profoundly and sincerely believe that the right hon. Gentleman will regret the insult to my right hon. Friend. He cannot wish to be under the imputation of not accepting the word of a man who, I believe, he must admit is as honourable a Gentleman as himself. The right hon. Gentleman's point was this—that we on

this Bench were silent when my right hon. Friend made his statement. But the right hon. Gentleman himself at once rose and asked that the statement should be made in writing. He said it would be more satisfactory to have the words in writing, and the matter then dropped. The next day the words agreed upon by the Cabinet were put into writing, and laid on the Table. No ingenuity, no speeches, can do away with the fact that these words "and other persons" were from the beginning included in the policy and the intention of the Government.

MR. W. E. GLADSTONE: The right hon. Gentleman charges me with disbelieving the word of honour of a Member of the Government. No such idea entered my mind. [An hon. MEMBER: Oh!] I repeat what I have said; but I observe that there is an hon. Gentleman opposite who apparently thinks it just to express disbelief of an assertion positively made by me. Will he rise and make an apology? I hope for his own sake he will—for myself I am perfectly indifferent, and, Sir, I have not the smallest intention of dealing as a matter of truth with any statement of Members of the Government. With regard to the statement of the right hon. Gentleman, I am willing to believe all assertions I receive from right hon. Gentlemen opposite when put into rational and intelligible shape; but I have endeavoured to point out that the statement laid before us by the Government was neither rational nor intelligible. The statement of the right hon. Gentleman the Chancellor of the Exchequer is not accurate. He says that when the First Lord of the Treasury had announced the terms of the inquiry which he intended the hon. Member for Cork should accept or reject, I immediately rose and demanded the words in writing, and so the incident terminated. That is not the fact. I did not immediately rise. The hon. Member for Cork rose, and he was next followed by the right hon. Gentleman the First Lord of the Treasury, and it was only then that it appeared to me to be a positive necessity that I should call for the production of the words. But do not the Government see that they are in this most unfortunate position—that, on their own showing, the proposal made to the hon. Member for Cork for his immediate acceptance or refusal was couched in terms essentially different from those which the First Lord, it is now stated meant to use, and essentially different from those which six or seven Cabinet Ministers knew to have been decided upon in the Cabinet?

MR. GOSCHEN: I do not think it clear that the acceptance of the hon. Member for Cork would depend simply on the inclusion or omission of the words "and others." The question was whether the offer of this inquiry would be accepted. The Government never for one moment supposed that the words "and others" would have such an effect that if they were included hon. Members would shrink from the inquiry.

SIR WILLIAM HARCOURT: The Chancellor of the Exchequer is trying to ride off. He knows that he is beaten. We have, however, not done with him yet. He complains that the word of a Member of the Government is not accepted. But the Members of the Government have no special privilege in that respect. How has the whole question arisen? It has arisen because of the Government and their supporters behind them. The Chancellor of the Exchequer says that he has nothing to do with hon. Members below the Gangway. That is the spirit of the Government. Who are the Members below the Gangway? They are the Representatives of Ireland. It is quite true he has nothing to do with them. Their words he and his Friends will not accept. On the contrary, they endorse, patronize, and promote every calumny of *The Times* against them. So far from accepting their word, have they not by every process endeavoured to fix the charge of perjury and falsehood upon them? He complains that he and his Friends are not always believed. Let me tell him that no man sitting on the Treasury Bench has any peculiar privilege in this matter above "the men who sit below the Gangway." They, as well as other Members of the House, are entitled to be treated as men of honour. But the Government do not recognize that fact. That is the doctrine of the Government; that is the spirit of this Bill. Every day, every hour, we are unmasking their policy. I only wish we could get the Chancellor of the Exchequer to rise on his legs a little oftener; for the temper he displays reveals to us the nature of the policy of which he is the advocate. There are

far more adroit men sitting on that Bench than the Chancellor of the Exchequer. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant is much cleverer. He wears a better mask. But if you want to see true bitterness, true unfairness, and true hypocrisy, commend me to the frank innocence of the Chancellor of the Exchequer. By all means let us have the principle established that Members of this House shall be treated as men of honour, whose word is to be taken, and then there would be no reason for this Bill.

THE CHAIRMAN said, he would point out that the position was perfectly well ascertained on both sides of the Committee, and that nothing advantageous could ensue from these recriminatory speeches.

MR. FORREST FULTON rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and *agreed* to.

Question put accordingly, "That the words 'in so far as the same bear upon the charges and allegations against the said Members' be there inserted."

The Committee *divided:* — Ayes 194; Noes 241: Majority 47:—(Div. List, No. 256.)

It being half an hour after Five of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again *To-morrow.*

NOTICE OF MOTION.

—o—

BUSINESS OF THE HOUSE—PROCEDURE ON THE MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I beg to give Notice, on behalf of my right hon. Friend the First Lord of the Treasury, that he will to-morrow propose the following Resolution:—

"That at 1 o'clock a.m. on Friday 3rd August, if the Members of Parliament (Charges and Allegations) Bill be not previously reported from the Committee of the Whole House, the Chairman shall put forthwith the Question or Questions on any Amendment or Motion already proposed from the Chair. He shall next proceed and successively put forthwith the Questions, That any Clause then under Consideration, and each remaining Clause in the Bill, stand part of the Bill. After the Clauses are disposed of he shall forthwith report the Bill, as amended, to the House. From and after the passing of this Order no Motion, That the Chairman do leave the Chair, or do report Progress, shall be allowed."

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Am I to understand that we are to go on with the Bill to-morrow?

MR. GOSCHEN; Yes, to-morrow at the ordinary hour, and to proceed till 1 o'clock, when this Notice will be acted upon. It is necessary that I should further give Notice on behalf of the First Lord of the Treasury, that he will to-morrow move—

"That the proceedings on the Members of Parliament (Charges and Allegations) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order 'Sittings of the House.'"

This will be necessary in order to carry out the other Resolution.

MR. T. M. HEALY (Longford, N): Is it intended to take the Report stage of the Bill on Saturday, assuming that they carry their little manœuvre to-morrow night?

MR. GOSCHEN: I believe that to be the intention; but I do not wish to pledge myself absolutely in the absence of my right hon. Friend the First Lord of the Treasury.

ORDERS OF THE DAY.

—o—

SCHOOL BOARD FOR LONDON ELECTION BILL.—[BILL 78.]

(*Colonel Hughes, Sir Richard Temple, Sir Guyer Hunter, Mr. Lafone, Sir Ughtred Kay-Shuttleworth, Mr. Isaacs.*)

SECOND READING.

Order for Second Reading read.

COLONEL HUGHES (Woolwich) said, he begged to move the second reading of the Bill.

MR. T. M. HEALY: I object.

COLONEL HUGHES said, he wished to explain that the Bill related to the election of the members of the School Board for London in November next.

MR. T. M. HEALY: I object.

COLONEL HUGHES said, he hoped the hon. and learned Member would allow the Bill to be taken.

MR. T. M. HEALY: I object. You give us no quarter, and we will give you none.

MR. SPEAKER: Order, order! I must ask the hon. and learned Gentleman to observe Parliamentary manners.

Second Reading *deferred* till *Friday*.

MUNICIPAL CORPORATIONS (LOCAL BILLS) (IRELAND) BILL.—[BILL 351.]

(*Mr. Sexton, Mr. Murphy, Mr. T. D. Sullivan, Mr. Maurice Healy, Mr. O'Keeffe, Mr. Richard Power, Mr. Peter M'Donald.*)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Sexton.*)

Objection being taken;

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) appealed to the Chancellor of the Exchequer that, as the Government had practically accepted this Bill, he should induce his follower to withdraw his opposition.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, that, on the understanding that an Amendment was accepted by the hon. Member, the Government would like to see the Bill passed.

Motion *agreed to*.

Bill read a second time, and *committed* for *To-morrow*.

QUESTIONS.

—o—

BUSINESS OF THE HOUSE.

In reply to Mr. MUNDELLA,

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, that if the course indicated for to-morrow were carried out it was the intention to take Supply on Friday.

MR. W. P. SINCLAIR (Falkirk, &c.) asked whether there would be a Sitting of the House on Saturday, and whether it would be occupied with Scotch Business?

MR. GOSCHEN replied, that there would be a Sitting of the House on Saturday; but he was afraid it would be impossible to take Scotch Business.

MR. MUNDELLA (Sheffield, Brightside) asked whether the Vote on Account would be taken on Friday?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): It is not quite settled. Either the Army and the Navy Votes or the Vote on Account will be taken.

MR. J. B. BALFOUR (Clackmannan, &c.) asked what the Government intended to do with regard to Scotch Business?

MR. GOSCHEN: The original intention was to take it on Saturday. That was when we believed that the Members of Parliament (Charges and Allegations) Bill would not occupy so much time as it has done, and our expectations were founded on communications from the other side of the House.

MR. MARJORIBANKS (Berwickshire) said, that, as far as he was aware, unless Scottish Business was taken on Saturday, it would be quite useless to take it until after the Adjournment, because Scottish Members would have gone away from London. They had already waited much longer than Scottish Members cared to do.

MR. GOSCHEN said, that no one regretted more than the Government the circumstances which had led to the delay.

MR. R. T. REID (Dumfries, &c.) asked if the Government would give the following Saturday, or had they abandoned the idea altogether of taking any Scottish Business?

MR. GOSCHEN said, that the Government had not abandoned the idea, and would be glad if they found themselves able to give a day, possibly one that would suit better than a Saturday. But, as he had said, their plans had been disarranged by the delay in getting through the Committee stage of the Charges and Allegations Bill.

MR. HUNTER (Aberdeen, N.) hoped the Government would keep in mind that it would be utterly contrary to the wishes of Scottish Members to take any day later than Saturday for Scottish Business.

MR. R. T. REID asked whether there would be any opportunity of discussing whether or not Saturday should be taken for Scottish Business?

MR. GOSCHEN said, he was afraid there would be no such opportunity; but he had been requested last night to make representations to the First Lord of the Treasury that Saturday would be an inconvenient day for Scottish Busi-

ness, and it was very difficult for the Government to arrange to please all.

DR. TANNER (Cork Co., Mid) asked if he was to understand that Scottish Members were to be kept there for Scottish Business till the 12th August, when they ought to be on the moors shooting grouse?

MR. MUNDELLA asked whether the Vote on Account would be put first on Friday?

MR. JACKSON said, Her Majesty's Government would endeavour to do so.

COLONEL HUGHES (Woolwich) asked that some facilities might be given to the School Board Elections Bill, as it had the unanimous approval of the Metropolitan Members, and it had been retarded owing to its being persistently blocked. It was highly desirable that it should pass before the November elections.

MR. MUNDELLA expressed a hope that the Government would accede to the hon. and gallant Member's appeal.

MR. T. M. HEALY (Longford, N.) said, he had blocked the Bill because the supporters of the Government last night had blocked one of his Bills, to which the Solicitor General for Ireland had assented. He hoped the Government would bring some pressure to bear on their supporters in this matter, so as to prevent that practice by their supporters.

MR. BIGGAR said, the Bill of the hon. and gallant Member for Woolwich (Colonel Hughes) was a very objectionable one.

MR. CHANCE (Kilkenny, S.) hoped the Rule as to blocking Notices would be altered. He thought it absurd that one single Member should be able to stop the progress of a Bill. The Rule should require at least 10 Members to object. He hoped the Chief Secretary would use his influence with his Friends to induce them to remove their blocking Notices.

MR. R. T. REID said, he would appeal to the Chancellor of the Exchequer to do something in connection with this matter of "objecting." It was well known who blocked the Bills. There were only one or two Members who did so, and as long as the practice continued there would be reprisals.

MR. D. CRAWFORD (Lanark, N.E.) said, he could corrobate what his hon. Friend had just said. He had had a Bill on the Paper seven days on a non-contentious matter affecting Scotland, but it had been objected to on each occasion, and it was done almost in silence, so that he had not been able even to find out who objected. He thought nothing could be more unfortunate than that they should be driven to reprisals; but he would certainly object and block any Bills of Gentlemen in the House unless the practice was discontinued.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) said, that the Government had been appealed to to induce their followers to stop the practice. He confessed he had the utmost difficulty, almost amounting to impossibility, in appealing to any Gentleman on his side of the House after the manner in which he had seen the Bills of Members on his side systematically blocked by Members from Ireland. The hon. and learned Member for North Longford must be aware that there were Gentlemen in his part of the House who were the great promoters of the practice, and as long as that continued he was afraid it was impossible to do anything.

MR. MUNDELLA: Alter the Rule.

DR. TANNER remarked, that year after year Bills were systematically blocked simply out of spite, because they had been brought in by Members from Ireland. Under these circumstances, it behoved the Government to set their own house in order and take the beam out of their own eye.

MR. E. ROBERTSON (Dundee) said, he did not think the present Rule as to blocking required any amendment.

MR. GENT-DAVIS (Lambeth, Kennington) said, that the Rule ought to be modified.

MR. HUNTER said, that the blocker often discharged a very useful task in preventing Bills being proceeded with that could not be adequately discussed.

CHAPELS (CLONMACNOICE) BILL.

On Motion of Colonel Nolan, Bill to permit the Irish Board of Works to make over to Trustees any of the Ruined Chapels of Clonmacnoice, *ordered* to be brought in by Colonel Nolan, Mr. T. M. Healy, and Dr. Fitzgerald.

Bill *presented*, and read the first time. [Bill 361.]

House adjourned at one minute before Six o'clock.

HOUSE OF LORDS,

Thursday, 2nd August, 1888.

MINUTES.] — PUBLIC BILLS — *Committee* — Fishery Acts Amendment (Ireland) (86-246). *Third Reading*—Victoria University (218), *discharged.*

SOUTH AFRICA—ZULULAND—SURRENDER OF NATIVE CHIEFS.

QUESTION.

In answer to Earl GRANVILLE,

THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD) said: I am glad to say that last night I received a telegram from Sir Arthur E. Havelock confirming the telegram which appears in the newspapers this morning in reference to the state of affairs in Zululand. The telegram is as follows:—

"August 1.—Colonial Secretary sent by East Coast road reach Umfolosi River without opposition. Somkeli, Chief of that locality, has voluntarily and unconditionally surrendered to authorities. Other Chiefs expected to surrender. Native followers who had come to Dinizulu from beyond Zululand are said to be dispersing. I am not without hopes that Dinizulu himself will surrender. Situation much improved."

RAILWAY AND CANAL TRAFFIC BILL.

CONSIDERATION OF COMMONS' AMENDMENTS.

Commons' Amendments *considered* (according to order).

LORD BRABOURNE said, that the great Companies did him the honour of placing their interests in his hands by entrusting him to conduct their case with respect to the Bill of last year. This year, however, he was incapacitated by severe illness from attending the Sittings of that House during the discussions upon the Bill now before their Lordships. He had, however, conferred with the representatives of the Companies, who, in accordance with his (Lord Brabourne's) advice, had agreed not to delay the Bill or to trouble their Lordships with Amendments such as they might have desired, but to submit to the present measure as a settlement of the question, with the exception of one single Amendment which he hoped presently to convince their Lordships was just and reasonable. He desired, however, to enter his earnest protest against this species of confiscatory legislation, which, unduly interfering with the management of a great and important industry, directly tended to paralyze commercial enterprize at least in one direction, to discourage the application of capital to railway development, and to diminish, if not destroy, that public confidence in the justice of Parliament, upon the faith of which so much capital had been embarked in railways. How did this matter stand? In the earlier part of the century, it was a question whether British railways should be constructed out of public taxation or left to private enterprize. After due deliberation by Parliament, it was determined to leave the construction of railways to private enterprize; and every British railway had consequently been constructed by the money of private individuals invested upon the security provided by a special Act of Parliament. This Bill, like others which had preceded it, cast Private Acts of Parliament to the winds, and proposed to entrust partly to a Public Department and partly to Commissioners that management of railway property which had been distinctly guaranteed by Parliament to the duly elected representatives of the Railway Companies themselves. It could not be said that railway shareholders had received any large or unreasonable dividends upon the capital which they had invested, or that the public had been aggrieved by the management of the railways. He was much afraid that the public and traders would not receive from this Bill the advantages which they expected. Hitherto the railways had been admirably managed by persons who were specially conversant with railway business, and he entered his protest against the interference with their functions proposed in this Bill. He might be told that he spoke only from a shareholder's point of view; but, in truth, he was much more largely interested as a landowner than as a shareholder, and, as a matter of fact, he had little personal interest in the matter, as he was but a small shareholder. On the other hand, he might retort that there were many gentlemen whose estates had been developed and improved and their incomes increased by railways constructed by other people's money, and who were now seeking, under the convenient

shadow of alleged public convenience, to get a further advantage from the same benefactors. This was the last unkind word he had to say of the Bill or of its promoters. Though he was obliged to act the part of Cassandra with reference to this Bill, he sincerely hoped his prognostications might be disappointed, and that the measure, without deteriorating railway property, as he feared it would, might be productive of that advantage to traders and to the public which he was quite sure that its authors intended and expected.

On the Motion of the Earl of ONSLOW, Commons' Amendments to the end of Clause 4 *agreed to.*

Amendments to Clause 5 *postponed.*

Clause 17 (Appeals on certain questions to supreme court of appeal).

LORD HERSCHELL said, it was his opinion that if this clause stood as it had come from the Commons it would not be long before their Lordships were asked to alter the law, and that those would be the first to ask for a change in the law who secured the passing of the Amendment in question. He did not ask their Lordships to disagree with it, but to take a practical course with reference to a matter that might arise under it. Conceivably the Court of Appeal in each country might take a different view on a given question, and the result would be that if there was no power of appeal beyond either of those Courts there would be a different law as between parties and railways in England, Scotland, and Ireland. He therefore moved to add the following words to the clause :—

"Provided that where there has been a difference of opinion between any two such superior Courts of Appeal any superior Court of Appeal in which a matter is pending may give leave to appeal to the House of Lords."

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) thought the proposal of the noble and learned Lord a wholly reasonable one.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 24 (Revised classification of traffic and schedule of rates).

LORD BRAMWELL said, he begged to move that the Commons' Amendment striking out the words enacting that the Board of Trade, in making a classification of maximum rates and charges, should substitute for existing rates and charges such as were "upon the whole equivalent to such maximum rates and charges" be disagreed with, and that the words quoted, which were in the Bill when it went down to the Commons, be restored. Those who were interested in railway shares and stock had been warned not to dissent from the proposals of the Commons or something worse would befall them, and he thought that was quite possible, because he had noticed that in the discussions on this subject it never seemed for one moment to have occurred to anyone that the Private Acts of Parliament under which railways were made gave the Railway Companies certain definite fixed rights, and it seemed to have been considered that they might be dealt with as though the question now arose for the first time what their rights might be. By striking out the words above quoted, the Board of Trade, he contended, would be at liberty to make a classification of maximum rates which should not be equivalent to the existing maximum rates and charges; they might make a diminution of 50 per cent, or any amount, on those charges, and say such diminution was "just and reasonable." He contended that the words "just and reasonable" did not convey any more definite idea than the word "fair," which no one would again introduce into an Act of Parliament after the experience of the working of the Irish Land Acts. Who could say what would be "just and reasonable" for carrying a ton of coals 100 miles? It was a most unjust thing to Railway Companies that their rights should be taken away, and he left it to the judgment and discretion of the Board of Trade.

Moved, "That the Commons' Amendment to the Clause be disagreed with." —(*The Lord Bramwell.*)

THE MARQUESS OF SALISBURY said, that if the Board of Trade had to decide what was "just and reasonable," the criticisms of the noble and learned Lord would be accurate; but the provision objected to by the noble and learned Lord was only a preparatory matter.

To enable Parliament to decide, the Board of Trade was to submit its opinion to Parliament, and there was surely no harm in asking the Board of Trade to state what it considered to be just and reasonable. When it had done so Parliament would have an opportunity to decide again how far the provisions which were suggested were a breach of the original contract made with the Railway Company, and the noble and learned Lord would have every opportunity he now had.

LORD BRAMWELL said, if the Board of Trade went wrong in this matter, Parliament might do the same, and he wanted to stop the thing at the outset.

On Question ? *Resolved* in the *Negative.*

Commons' Amendment *agreed to.*

LORD BALFOUR said, that he had been informed by the authorities of the House that he would not be in Order in moving the new clause which stood in his name on the Paper. Its object had been to provide that any difference with regard to remuneration or compensation between the Postmaster General and any Railway Company should be referred to the Commissioners instead of to arbitration. Although he could not move this clause, he wished to explain that it was merely on account of the technical objection.

Clause 25 (Amendment of 36 & 37 Vict. c. 48, s. 11, as to through traffic).

Moved, "That the Commons' Amendments to the Clause be agreed to."—(*The Earl of Onslow.*)

THE EARL OF JERSEY, who had an Amendment on the Paper to strike out the words, "in respect of the same or similar services," said, he thought that Clause 29, which provided that the Railway Companies should state all the particulars of the through rate on both sides of the sea, would cover this question, and he did not propose to move his Amendment. He would, however, like some explanation from the noble Earl.

THE SECRETARY TO THE BOARD OF TRADE (The Earl of ONSLOW) thought it was obvious that whether the consignors were foreigners or home traders it would be manifestly unfair to impose the same rates upon both parties, whether they sent a large or a small quantity of goods, or whether the goods were sent at regular or at irregular intervals. One man, again, might have a private siding, and there were many other cases in which the services to be rendered were different.

LORD HERSCHELL said, he wished to call attention to these words as affecting particular ports, and especially the Port of Newcastle. The question was whether it would be a matter of discretion with the Commissioners; but he understood that there were grave doubts as to whether they would have any discretion in the matter. The Ports of Hull and Newcastle, and other Northern ports, had formerly been served by two different lines of railway. Though Hull was much nearer than Newcastle to Liverpool, the two railways had carried goods at equal rates. An amalgamation then took place, and the two lines became the property of the North-Eastern Railway Company. In the other House the question had been raised of the competition of the two Ports of Hull and Newcastle, and an endeavour was made by those who wanted that the rates should not be equal to get a clause inserted carrying out that view. He was not speaking on behalf of any Railway Company, but on behalf of the town of Newcastle. If this clause were passed as it now stood the Railway Companies would be unable to charge what for the moment he would call the lower rate, and if they were unable to do so, there would be no benefit to the home producers, but to one English port as against another. The question had been asked in the House of Commons whether these circumstances could be taken into account by the Commissioners, and it had been stated by the President of the Board of Trade that they could. For his own part, he confessed that he could not take that view; the words were absolutely stringent. The town of Newcastle considered that the effect of these words would be to deal a heavy blow at their interests, not to the benefit of the home producers, but that of Hull. That, of course, had not been the object of these words. He understood that the view of the Government was that the Commissioners would have power to consider such a case, and all that he now asked for was that it should be a matter to be so considered, and that there should be some elasticity given to the clause to allow the Commissioners to deal with

such cases. At present he did not see how the Commissioners were to give any such consideration.

THE EARL OF SELBORNE said, he agreed that the words were peremptory, but only with regard to the question of foreign merchandize; they would not prevent the Companies from charging the same rates on these two lines.

THE EARL OF ONSLOW said, that it was specially provided in the first part of the sub-section that where there was a difference made between home and foreign traders, or traders of any kind, which would be likely to lead to undue preference, the Commissioners were to take into account whether such difference of treatment was intended to secure the interests of the public. If the noble and learned Lord would propose any words which were not likely to interfere with the general scope of the clause he should be happy to consider them. But if any part of the clause was omitted, the result would be that we should come to equal mileage rates. No doubt, as the noble and learned Lord argued, the effect in some cases might be to transfer foreign traffic from one port to another; but he agreed with the noble Earl behind him that of two evils it was better that the home trader should not be put to considerable loss than that a particular port should suffer.

LORD BRABOURNE, in rising to propose at the end of Sub-section 3 of Clause D, after "railway," to add "the lesser distance being included within the longer distance," said, this was the one Amendment which the Railway Companies of England desired their Lordships to make; and he must all the more claim the indulgence of their Lordships, as much turned upon the construction of the clauses, and he was at a disadvantage, as a layman, speaking in the presence of more than one ex-Lord Chancellor and other great legal luminaries. The clause was, in its primary intention, directed against the admission of foreign produce at a lower rate than home produce was carried on the same line of railway. He was not going to say a word against that. But the words at the end of the clause went somewhat further. They empowered the Railway Commissioners to make different rates over the same line of railway; the same line of railway meaning, he believed, the same system of railway, or in other words all the lines under one Company. That would lead to mileage rates, which had been condemned by every Commission and every Committee which had sat on the subject. Some lines had difficult gradients, and were much more costly to make than others. Let him explain what he wished to convey to their Lordships by a simple illustration. Suppose that from the seat occupied by the Prime Minister at that moment one line ran to the right and the other to the left hand corner of the House. One might have cost double the other in construction, and its gradients might make the working more expensive. A higher rate might, therefore, have been authorized upon the latter, and this section as it stood would enable the Railway Commissioners to enforce an equal rate upon each. What he (Lord Brabourne) desired was to leave to the Commissioners the power to compel equality of rates upon the same line, but not upon different lines upon the same system. He spoke in the public interest as well as in the interest of the Railway Companies, for the section as it stood might have a somewhat different effect from that contemplated by its authors. He would give two instances; one of hardship which might be inflicted upon a Railway Company, and another in which the public might suffer. The Great Western Railway Company had lines in Cornwall where the gradients were bad and the working consequently expensive, therefore their Private Acts sanctioned a higher maximum rate on that part of their system than upon the flat and easy gradients of the Herefordshire part. But under this section the Commissioners might enforce an equal rate throughout, and inflict a manifestly unfair injury upon the Company. On the other point, the distance from London to Bristol by the Great Western was 120 miles—by the Midland Company's line 220 miles. Now, the latter competed with the former Company for merchandize traffic, and to do so were obliged to charge only the same rates as the competing Company. But suppose the inhabitants of Leeds, which was 180 miles from London by the Midland Railway, and the inhabitants of other Yorkshire towns on the same line came before the Commissioners to complain that they were charged higher rates for their merchan-

dize than was charged to Bristol. The Commissioners could enact an equality of rates, the immediate effect of which would be to destroy the competition of the Midland with the Great Western Company—that very competition which had always been insisted upon as so important in the interests of the public. It would be said—"The Railway Commissioners will be able to judge of such cases as fairly as you can;" but that was not quite the point. A Railway Commissioner would, fairly enough, look first at the interest of the public, and would not, of necessity, weigh all the reasons for which a higher rate had been fixed upon one part of a railway system than upon another. Why should the Railway Commissioners have power to say that the rates which it was proper to charge on lines which were more easy and less expensive to make should apply to lines more difficult and costly of construction? But he (Lord Brabourne) had another objection to this section as it stood, to which he most earnestly invited the attention of their Lordships. Noble Lords who advocated the traders' interests asked, Why not leave this question open to the Railway Commissioners, as the question of terminal charges has been left open to the Board of Trade? He would answer that question simply and clearly. He believed the words to which he objected were introduced at the bidding of the noble and learned Earl opposite (the Earl of Selborne). He had asked the noble and learned Earl whether he would assent to his Amendment; but he said he did not think it would be right to fetter the judgment of the Railway Commissioners. With great submission to the noble and learned Earl, he (Lord Brabourne) must submit to their Lordships that this was a complete misapplication of terms. Every Court of Justice had got its judgment fettered. It could interpret, but it could not alter an Act of Parliament. But this was precisely what the section under discussion would permit this Court of Railway Commissioners to do; and at the very moment when they were limiting the right of appeal in this Bill, they were going to constitute the Railway Commissioners a Court of Appeal from the Board of Trade. Let him point out his meaning more clearly. By a previous clause in this Bill, every Railway Company had to go to the Board of Trade within a certain time, and to agree with the Board of Trade on its revised table of tolls. Whether they could agree or not, the Board of Trade had to come to Parliament, and get an Act of Parliament confirming its Provisional Order as to the maximum rates to be charged by the Company. Nor was this all. The Bill, as it left their Lordships' House, provided that the Board of Trade was to substitute for the existing maximum rates and charges such rates and charges as it would be just and reasonable so to substitute "as upon the whole equivalent to such existing rates and charges." But these words were struck out in the House of Commons, so that the Board of Trade had now a free hand to deal with the maximum rates and charges of every Railway Company with no principle laid down for their direction. Now, let their Lordships mark what this section would do without his (Lord Brabourne's) Amendment. It would leave the scale of charges, which had been revised and settled by the Board of Trade, after full inquiry and consideration, and which by this very Bill were in each case to be embodied in an Act of Parliament, to be re-opened and altered at the discretion of the Railway Commissioners. He ventured to think that neither the Board of Trade nor the Railway Companies ought to be exposed to such a state of things, which would unnecessarily invite litigation, and cause an undeniable clashing of authority. Why should the Railway Commissioners be made a Court of Appeal over the Board of Trade and the Act of Parliament? When the Board of Trade and the Act of Parliament had said to the Company—"This shall be your maximum table of rates," why should the Railway Commissioners be allowed to say—"A fig for your Act of Parliament, a fig for your agreement; we will alter your rates according to our idea of public interest and public convenience, in spite of all the considerations which may have guided the Board of Trade in their deliberate settlement of 'just and reasonable' rates." The words he proposed were taken from the American legislation of last year; and he moved them in the full belief that the public and the traders would in no respect suffer from

an alteration which in common justice was due to the Railway Companies.

Amendment *moved*, in page 16, Clause (D.), inserted by the Commons, to add, at the end of the clause ("the lesser distance being included within the longer distance").—(*The Lord Brabourne.*)

THE EARL OF SELBORNE said, he must ask their Lordships not to agree to the Amendment of the noble Lord opposite. The clause was accompanied by every safeguard that would be required for the protection of the Railway Companies. If the words proposed by the noble Lord were introduced, an unlimited power of evading the object of the clause would be given to the Railway Companies. He therefore urged their Lordships not to accept the Amendment.

LORD HERSCHELL said, that nobody seemed to consider the unfortunate British public, who, after all, had a great interest in the matter. He could not conceive anything more mischievous to the interest of the public than to insist on this system of equality. If this equal mileage rate were insisted upon, competition would be killed, a monopoly would be given to the lines with the shorter routes, and the British public would consequently suffer. He considered that the Commissioners could deal with the whole of this question. The words were that they—

> "Shall have power to direct that no higher charge shall be made over a less distance than over a greater,"

and left them a discretion in the matter. If it were not that he believed the Commissioners would have a discretion he should certainly vote with the noble Lord opposite in the interests of the public.

LORD BRAMWELL said, he would not say a word in favour of the Railway Companies, though they were to be fleeced to a certain extent. He wished to speak in favour of the public, and he would put a particular case. The Great Eastern Railway had a branch to Wisbech, about due north from London. It had also got a line to Ipswich. In making a charge for carriage from Ipswich it must bear in mind that it had the competing river carriage to London, and consequently that it could not charge more to those who were desirous of sending their goods by railway than would tempt them to do so rather than send them by the slower mode of the river. But the railway went to Wisbech and Lincoln. To Lincoln it had another competing line, but it had no competing line to Wisbech, and there it charged as much as it was allowed to do, bearing in mind the necessity of getting as much traffic as it could. Consequently it would charge more from Wisbech for the carriage than from Ipswich, supposing the distances were equal. A singular argument had been used by one of the most intelligent of our public men; it was that because a Company could afford to carry at a certain rate from one place it could afford to carry at the same rate from another place. What a Railway Company did was—it charged what it could where there was no competing consideration to induce it to diminish its charge, and charged what it could where there was that competing consideration, and the result was it could charge more where there was no competition. It had a perfect right to charge the larger sum; the law of the land gave it that right; and the only effect of the alteration, which would compel it to charge equally to both places, would be, not that it would lower the rate which was the more profitable in amount, not that it would lower the rates from Wisbech or Lincoln, but that it would raise that from Ipswich. The noble and learned Earl near him said that the reducing of rates by competition operated as a bounty. He had two answers to that. First, the other operated as a protection; secondly, the objection to a bounty was not its consequences but its cost. Was it not absolutely certain that if that clause passed as it stood the result would be, not that the high rates would be lowered, but that the low rates would be raised, and was it not a necessary consequence of that that the articles carried would be charged at a higher rate to the consumer?

EARL FORTESCUE said, he was always very suspicious when he found those who were interested on the side of the monopolies dwelling on the advantages of competition. They knew in London how wide the competition was between the Water Companies, which at one time sold water almost below cost price. They began by a competi-

tion injurious to shareholders, but ended by a coalition entailing a heavy tax on the public. He hoped that the Government would keep the Bill as it was, and not accept the advances of the monopolists, made under the plausible guise of competition and Free Trade. He protested against thus giving practical bounties to the Railway Companies to the injury of our shipping, which the former were allowed to underbid by their differential rates, and thus deprive the latter of their reasonable traffic.

THE EARL OF ONSLOW said, many of the arguments which had been used would be admirably adapted to the second reading of the Bill, and others to a discussion on the question of bounties. He must take notice of one remark which had been made by the noble and learned Lord opposite, who said that the Railway Companies were there to be fleeced.

LORD BRAMWELL said, what he meant was that the tenour of some of the observations showed a disposition to deprive Railway Companies of their rights.

THE EARL OF ONSLOW said, he understood the noble and learned Lord to say that there was a disposition on the part of Parliament to take away something which Parliament had given. He did not deny that; but with regard to the particular clause the omission of which had been moved by the noble Lord opposite, he would point out to him that the whole object of this Bill was to leave the Commissioners as free as possible to deal with the subjects which came before them. The noble Lord said he was only asking their Lordships to agree to the same words that were in the American law. But that law especially laid down that it should be unlawful to do these things, whereas this Bill only said that discretion should be given to the Commissioners. If they could not trust the Commissioners whom they were about to appoint under this Bill they had better not have them at all. He maintained that the men appointed on the Commission would be worthy of confidence, and that it was undesirable to fetter them by putting into the Bill any words which would tie their hands.

On Question? Their Lordships *divided*:—Contents 18; Not-Contents 43: Majority 25.

Earl Fortescue

The rest of the Commons' Amendments *agreed to;* and Bill, with the Amendments, returned to the Commons.

House adjourned at a quarter past Six o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS,

Thursday, 2nd August, 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—Suffragans' Nomination * [363]; Suffragans' Act Amendment * [364].

Second Reading—Pharmacy Act (Ireland), 1875, Amendment [357].

Committee — Report — Members of Parliament (Charges and Allegations) [336] [*Fourth Night*]; Public Health Acts Amendment (Buildings in Streets) [255]; Municipal Corporations (Local Bills) (Ireland) [351].

Report from Standing Committee on Trade, &c.—Merchant Shipping (Life Saving Appliances) [No. 318].

Withdrawn—Pauper Lunatics' Asylums (Ireland) (Officers' Superannuation) [135].

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL—THE DEBATE OF TUESDAY, JULY 3—AMENDMENT OF ENTRY IN VOTES.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I desire, Sir, to call your attention to a point of Order in reference to an incident which took place in Committee on the Members of Parliament (Charges and Allegations) Bill. I find that that incident is described in the Votes and Proceedings of the House as "abuse of the Rules of the House." The circumstances are these—About 2 o'clock on Wednesday morning I moved that the Chairman should leave the Chair. The Chairman then rose, and pointed out that the matter, which I was then anxious to have debated, would be best discussed at the next Sitting of the House. The Chairman made no reflection on me, nor did he describe the Motion as an abuse of the Forms of the House. He simply stated that the balance of convenience was in favour of his not putting the Motion from the Chair. I find in the Votes of July 31 that my Motion is described as an abuse of the Forms of the House, which is a direct contradiction of the statement made at

the time by the Chairman. The following is the entry in the Votes and Proceedings:—

"Mr. Sexton moved, 'That the Chairman do now leave the Chair;' but the Chairman, being of opinion that the Motion was an abuse of the Rules of the House, declined to propose the Question thereupon to the Committee."

MR. SPEAKER: I believe that the terms of the Standing Order require the reason for the Motion not being put to be specified. I must say, however, that I think, with the hon. Member, that there may be harshness in the form in which the record has been placed on the Votes, and I will endeavour to ascertain whether it cannot be put in some form less objectionable to the hon. Member.

MR. SEXTON: Thank you, Sir.

MR. SPEAKER: I may remind the hon. Gentleman that the incident he has referred to occurred during the time the Chairman of Ways and Means was in the Chair, and therefore I have no personal knowledge of it. I will, however, mention the matter to the hon. Gentleman when he is in attendance.

MR. SEXTON: I may add that the debate was adjourned immediately, so that the purpose of my Motion was attained.

QUESTIONS.

METROPOLITAN POLICE — EXPENSES OF DEFENCE OF CERTAIN CONSTABLES.

MR. HOWARD VINCENT (Sheffield, Central) asked the Secretary of State for the Home Department, Why, although 40 Metropolitan Police constables out of 44 against whom charges having been preferred during the past 12 months of excess of duty have been acquitted, 10 only have been assisted in their defence from public funds; and why the Rule, that the cost of meeting unfounded charges arising out of official duty should be recouped, was suspended in the case of the remaining 30; and, if, having regard to the disastrous consequences frequently resulting from even a false criminal accusation, in the default of legal power for a defendant to recover costs from a prosecutor unable to substantiate his charge, and certified by the presiding Judge or magistrate to have acted upon insufficient grounds, he will consider the adjustment of the Criminal Law in this particular to the liability of an unsuccessful plaintiff in a civil suit?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The Rule was not suspended in the case of the 30 constables referred to; but these were either cases of so simple a nature that there seemed to be no necessity for the employment of a professional advocate, or they were cases in which the charge did not arise out of the performance of police duty. In one or two cases special circumstances existed which demanded special consideration. I have consulted the Lord Chancellor as to the latter paragraph of the Question; and he is of opinion that the distinction between civil and criminal proceedings is so marked that the Government are unable to hold out any hope that they will undertake legislation of the kind suggested.

REFORMATORY AND INDUSTRIAL SCHOOLS—REPORT OF THE ROYAL COMMISSION.

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe) asked the Secretary of State for the Home Department, Whether, among the subjects on which Her Majesty's Government contemplate early legislation, the recommendations of the Royal Commission, which reported in 1883 on Reformatory and Industrial Schools, and the repeated promises of measures on these important subjects have been borne in mind; and, when the Bills which have been prepared for these objects will be introduced?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): These Bills will, I hope, be introduced in the House of Lords in the course of the present Session.

REGISTRATION OF DEEDS AND ASSURANCES (IRELAND)—INSANITARY CONDITION OF THE OFFICE.

MR. MACNEILL (Donegal, S.) asked the Secretary to the Treasury, Whether his attention has been directed to the First Report of the Commission appointed to inquire into the Law relating to the Registration of Deeds and Assurances in Ireland, page 100, whence it appears that the official searching room is wholly inadequate and utterly un-

wholesome; that there is great complaint by the staff of the ill effects upon their health of the system of heating by hot water pipes; that these complaints are well-founded; that the mode of generating heat in the Office is unwholesome; and that the Treasury are losing because the staff are suffering from ill-health; whether any steps will be taken to remedy these evils, which have, after the lapse of nine years from the tendering of this evidence, increased; and, whether he will be prepared to grant a Return showing how many of the 62 officers and clerks who were on the permanent staff of the Office in June, 1878, are now in the Department, and a Return showing the annual Revenue derived during the five years ending on the 31st day of December, 1887, by the Exchequer through the operation of the Registry of Deeds Office; (*a.*) On account of Duty stamps on muniments; (*b.*) On account of fee stamps; and the annual cost to the Treasury during the same period?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): The Report of the Commission was made in 1881, since which date the staff to be accommodated in the Registry of Deeds has been reduced from 69 to 50, and it will be further reduced, as vacancies occur, to 48. I have no reason to believe that the existing staff is in excess of the capabilities of the building, or that the latter is not in a wholesome condition; but it is hoped that arrangements may before long be made which will render it possible to transfer the work and staff of the Registry of Deeds to the building in Henrietta Street, now occupied by the officers of the Probate Court. For the last five years the average receipts in stamps have been £12,551, and the average cost of the Office, including non-effective and other charges, £20,668. Probably, with this information, the hon. Member will not think it necessary to press for a Return.

RAILWAYS (ENGLAND AND WALES)—ACCIDENTS AT LEVEL CROSSINGS.

MR. M'LAREN (Cheshire, Crewe) asked the President of the Board of Trade, Whether his attention has been called to the four deaths which have taken place between the 17th and 21st of July, owing to persons being run over at level crossings by trains at Sittingbourne, Harecastle Junction, Ayton, near Scarborough, and Whyke Lane crossing, near Chichester; whether these deaths were all due to want of proper precautions on the part of the four Railway Companies; whether his attention has been called to the automatic electric alarm, invented by Mr. W. F. Folks, of 30, Mark Lane; and, whether he will have it examined by a Board of Trade Inspector, and if found suitable, have it recommended to these and other Railway Companies?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, that the attention of the Board of Trade had been called to the deaths in question; but he was not aware whether they were all due to want of proper precaution on the part of the Railway Companies. With regard to the invention in question, it was for the Railway Companies, and not for the Board of Trade, to decide on the respective merits of inventions.

EDUCATION DEPARTMENT—SCHOOL BOARD ELECTIONS—HOURS OF POLLING.

MR. M'LAREN (Cheshire, Crewe) asked the Vice President of the Committee of Council on Education, Whether, in view of the approaching school board elections this autumn, he will recommend to those persons who fix the seven hours during which the poll may remain open that they should in all cases arrange to have it open between 6 and 8 p.m., for the convenience of the working-class electors; and, whether he is aware that in many places at the last election it was only open from 9 a.m. to 4 p.m.?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford): By regulations which have been substituted for those to which the hon. Member refers, the Education Department have directed that the poll in every school board election shall be open between the hours of 6 and 8 p.m.

POST OFFICE (IRELAND)—POST OFFICE AT KILMORE, CO. ROSCOMMON.

MR. COX (Clare, E.) asked the Postmaster General, Whether the post office which for the last 30 years was held in the village of Kilmore, County Roscommon, has recently been changed from

there to a public-house half a mile distant; whether the wishes of the people within the postal district have been consulted; if so, how; on what date was the resignation of the late Postmistress made known; when was her successor appointed, and if an opportunity was afforded eligible persons in the village of Kilmore to apply for the appointment; and, whether, in view of the fact that the granting of a post office to be held on licensed premises is contrary to the Regulations, and that the new site is objectionable and inconvenient to the people of the district, he will direct that the office be re-opened in Kilmore?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University), in reply, said, no appointment had yet been made to the post office at Kilmore. The late Postmistress resigned on June 30, and on July 4 the office was placed in the temporary charge of the present occupant. The house was a public-house; but the post office was shut off from the licensed premises. The house was in a convenient position. Inquiry was now being made as to the qualification of the candidates, and care would be taken to appoint a suitable person.

MR. COX, having lived in the place all his life, assured the Postmaster General that he was entirely mistaken in saying that the post office was in a convenient position.

METROPOLITAN POLICE—THE NEW OFFICES ON THE EMBANKMENT.

MR. BROADHURST (Nottingham, W.) asked the Secretary of State for the Home Department, Whether the contract for the building for the new police offices on the Embankment has been yet let; and, if so, to whom; and, whether the granite and stonework for the building is being prepared by the convicts at Dartmoor and Portland respectively; and, if so, whether this work is done for the Government, or whether the convict labour is hired by contractors, and, if the latter, by what contractors?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; the contract for this building has been let to Messrs. Grover and Sons. The granite required for the lower portion of the building has been worked by convict labour at Dartmoor. The work is done for the Government, and the Receiver of Police pays all expenses incurred, including delivery on the ground. The contract was concluded on the understanding that all the granite would be delivered free of cost, and the contractor derives no benefit therefrom.

ROYAL COMMISSION ON WARLIKE STORES—THE SADDLERY DEPARTMENT—MR. DUNN, A WITNESS.

MR. BROADHURST (Nottingham, W.) asked the Secretary of State for War, Whether it is true that Mr. Dunn, a witness in the recent exposures of the scandals in the Saddlery Inspection Department at Woolwich, has recently been twice passed over for the appointment of viewer in favour of two men, both of whom are his juniors in the Service; and, if so, who is responsible for this treatment; and, whether Mr. Dunn is referred to in the Judge Advocate General's Report as a person who thoroughly understood his business?

MR. HANBURY (Preston) also asked, Whether the Judge Advocate General had not stated that, in his opinion, Mr. Dunn, as a viewer, was a far more valuable man than Inspector Spicer himself; and, whether he would interfere to prevent Mr. Dunn from being unjustly punished?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): As to the Question whether I will interfere to prevent the improper punishment of Mr. Dunn, I have already denied that there has been, or can be, any improper punishment inflicted in his case. If the hon. Member wishes for further information on the matter, I must request him to give me Notice in the usual way. With regard to the Question on the Paper, I have to say that of the two men who were the principal witnesses in the recent inquiry at Woolwich, one (Moody) is shortly to be promoted. The other (Dunn) has been passed over in favour of men who were better fitted to become viewers.

MR. ARTHUR O'CONNOR (Donegal, E.) asked, whether the right hon. Gentleman would undertake that, during his term of office, Mr. Dunn should not be a marked man?

MR. E. STANHOPE: He is not, and will not be, a marked man. I can undertake to say that full justice will be done him.

In answer to a further Question from Mr. HANBURY with regard to the Report of the Judge Advocate General,

MR. E. STANHOPE said, that it was not to be expected that he carried the Report of the Judge Advocate General in his pocket. If the hon. Member desired further information on the subject, he must ask him to give Notice of his Question.

PUBLIC HEALTH—POLLUTION OF THE REGENT'S CANAL.

MR. PICTON (Leicester) asked the First Commissioner of Works, Whether he is now able to state the result of his inquiry into the pollution of the Regent's Canal by the sewage of the Zoological Gardens?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): The alleged insanitary condition of the Regent's Canal is one which very remotely affects my Office; and, after consulting the Local Government Board upon the subject, I can only point out to the hon. Member that if those who dwell in the neighbourhood of the Canal find that they suffer seriously from the impure state of the water, they may again endeavour to set their Vestries in motion with a view to the abatement of the nuisance, or they might, if they were so advised, take proceedings to bring the case before the Court of Summary Jurisdiction under the 13th section of 23 & 24 *Vict.* c. 77.

COMMONS AND OPEN SPACES (METROPOLIS)—FORTUNE GREEN, HAMPSTEAD.

MR. BRODIE HOARE (Hampstead) asked the Secretary of State for the Home Department, Whether he is aware that the Common known as Fortune Green, Hampstead, is being enclosed; and, whether the provisions of the Metropolis Commons Act of 1866 have been complied with in this case?

THE SECRETARY OF STATE (Mr. MATHEWS) (Birmingham, E.): I am informed by the Metropolitan Board of Works that the Common in question is a piece of roadside waste of about two-and-a-half acres. Last year the Board was informed that there was a proposal to build upon it, and the Board was asked to interfere, and to preserve the ground as an open space. The parish authorities were, however, unwilling that the Board should interfere; and as the area of the ground was small, and Hampstead was well provided with open spaces, it appeared to the Board not to be a case in which it was desirable to set in motion the procedure under the Commons Act of 1866.

In reply to Mr. BRUNNER (Cheshire, Northwich),

MR. MATTHEWS said, that the question of the right to enclose a Common could be raised by an action at law.

WAR OFFICE (AUXILIARY FORCES)—THE 4TH LANCASHIRE ARTILLERY VOLUNTEERS.

MR. WHITLEY (Liverpool, Everton) asked the Secretary of State for War, Whether it is true that an offer has been received from the officer commanding the 4th Lancashire Artillery Volunteers to horse and drive, at his own expense, a 16-pounder Battery, as in a Field Battery, R.A.; and, if so, what answer the War Office preposes to return to it?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Yes, Sir; it is the fact that in a most patriotic spirit this offer has been made by Lieutenant Colonel Belcher and his officers. I recognize it as one among many proofs of the loyal devotion which characterizes our Volunteer Forces. It is one which primarily must be considered by the Commander-in-Chief, and I propose to consult with him on the subject.

EGYPT—STORAGE OF THE NILE WATERS—THE RAIAN BASIN.

MR. WOODALL (Hanley) asked the Under Secretary of State for Foreign Affairs, Whether, since the reply given by him last Session, further surveys of the Raian Basin have been made by the Egyptian Government; whether those surveys have conclusively demonstrated the feasibility of the project of Mr. Cope Whitehouse to utilize the basin as a storage reservoir for the Nile flood; if it is true that Nubar Pasha has stated that an expenditure of £2,000,000 upon such a scheme would be recoverable in the value of lands reclaimed; whether he is aware that responsible contractors have offered to cut the canal and construct the essential works for £250,000;

and, whether Her Majesty's Government are disposed to give any encouragement to the Egyptian Government in furthering the accomplishment of so important an undertaking?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The question of the feasibility and the expense of Mr. Cope Whitehouse's project are matters upon which the Egyptian Government must necessarily be guided by the opinion of its technical advisers. We have not received a copy of Nubar Pasha's observations on the scheme; but Sir Evelyn Baring has sent home a copy of a Memorandum by Sir C. Moncrieff in reply to these observations. Sir C. Moncrief estimates the cost of the undertaking at £1,800,000, and deprecates its being proceeded with for some years to come. Her Majesty's Government do not feel justified in interfering with the discretion of the Egyptian Government in the matter, or in encouraging them to undertake so large and uncertain an expenditure in the present state of their finances without the most careful consideration.

ROYAL IRISH CONSTABULARY—CONSTABLE PHILLIPS, BALLYGAR.

MR. HAYDEN (Leitrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Constable Phillips, of Ballygar, who draws lodging allowance with his pay, has a house rent free from Mr. John Bagot, for acting as gatekeeper for him; whether the constable was changed from Ballygar in February last; whether, on Mr. Bagot's application to County Inspector John Mark O'Brien, he was changed back to Ballygar, and resumed his position in the gatehouse; and, whether it is in accordance with the Rules of the Force that a constable may discharge the duties and receive the remuneration above referred to?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, the Inspector of Constabulary reported that it was the case that the constable referred to had a house from the gentleman named; but it was not the case that he had acted as caretaker. It was true that he was transferred; but he was re-transferred at his own request. The constable, being a married man, was not accommodated in the barracks. There was no objection to his holding a house rent free if he could get it; but he was prohibited from rendering service for it.

PARLIAMENTARY ELECTORS (IRELAND)—REVISION COURTS—DUBLIN DISTRICTS.

MR. EDWARD HARRINGTON (Kerry, W.) (for Sir THOMAS ESMONDE) (Dublin Co., S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If any representations have been made to the Irish Government by the people of South County Dublin, with a view to having Revision Courts held at the different polling stations in the districts; and, if so, whether, in consideration of the hardship imposed upon so many labouring men who have to travel long distances, in some cases repeatedly, to attend the present Revision Courts to secure their votes, losing, very often, several days' pay by so doing, the request will be granted?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Representations have not been made to the Irish Government in favour of having Revision Courts at all the polling stations in South County Dublin, nor, as I am informed, is there any need whatever for such. An application, however, has been received from the Secretary of the South Dublin Nationalist Registration Society for the establishment of a Registration Court in Cabinteely for the convenience of the people of that polling district, and this will be done.

NEW ZEALAND—CONFLICT AMONG THE MAORIS.

MR. A. M'ARTHUR (Leicester) asked the Under Secretary of State for the Colonies, If he can give the House any information respecting a tribal conflict arising out of a land dispute between Maoris in Whangarei District, New Zealand, in which several Natives are said to have been killed or wounded, as reported in *The Times*, of 23rd July?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham) (who replied) said: No official information has been received on this subject; and it is not apprehended that the disturbance referred to, if correctly reported, has any political significance. It appears to have been a

quarrel among the Natives in a district in which there are few European settlers.

SCIENCE AND ART DEPARTMENT—LACEMAKING IN IRELAND.

MR. JUSTIN M'CARTHY (Londonderry City) asked the Secretary to the Treasury, Whether, as stated in the Thirty-Fourth Report of the Department of Science and Art, page xli., the duties of the Lady Inspector of Lacemaking in Ireland are confined to—

"Affording advice to the convents in Ireland upon the commercial necessities of trade in lace, as well as upon the variations of fashion and the adoption of good work materials;"

whether the appointment was created at the suggestion of the Lord Lieutenant to supplement and not to supersede the lectures on designing given by Mr. Alan Cole; and, whether, in view of the requests for Mr. Cole to resume his lectures, as well as of the fresh applications which have been made for his services, arrangements may be made for Mr. Cole to lecture at the lacemaking centres in Ireland not less frequently than twice a-year?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): When the appointment was first made of the Lady Inspector it was intended that she should visit the schools where lacemaking is taught, inspect the quality of the work, advise as to the best designs and patterns, and as to the relative commercial values of the work turned out. It is not easy to draw a line between her functions and the lectures given by Mr. Alan Cole; but I may say that arrangements have been made, subject to a limit of expense, which will prevent the entire discontinuance of Mr. Cole's lectures.

PIERS AND HARBOURS (IRELAND)—BALLYCOTTON PIER.

MR. FLYNN (Cork, N.) asked the Secretary to the Treasury, in view of the conflict of opinion between the Cork County Grand Jury and the Commissioners of Public Works in Ireland, in respect to the alleged serious defects in the Ballycotton Pier, and the refusal of the Grand Jury to take over and maintain the pier, Whether he will take steps to insure that a competent engineer, independent of either of these Bodies, shall be sent to examine into and report on the condition of the work?

THE SECRETARY (Mr. JACKSON) (Leeds, N.), in reply, said, he had ordered an inspection of this pier, and he had had submitted to him Reports from the engineers who had made the inspection. He had carefully read these Reports; and although there was considerable conflict of opinion between the Grand Jury and the engineers, he had no doubt that the pier was substantially built and perfectly safe. The pier and walls had been tested, and there was no evidence at all of any movement as stated. The locality might rest assured that the work was well designed, well constructed, and perfectly safe.

POOR LAW (IRELAND)—DONEGAL BOARD OF GUARDIANS.

MR. MAC NEILL (Donegal, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether complaints have reached him of the condition of Donegal Workhouse, for the past five years through the action of the Protestant majority of the Board of Guardians, who systematically excluded Catholics from every official position in the Union; whether he is aware that on the 2nd of June last a Resolution was passed by these Guardians that the matter of an appointment of a Catholic to any office in the workhouse be not entertained by the Board for 12 months, and that when on three occasions a vacancy for schoolmistress arose, the Guardians at each time set aside the Catholic candidate, though more eligible, and appointed a Protestant; whether two of the Protestants so appointed were compelled to resign in consequence of not attaining to the educational standard of the National Board; whether the Guardians refused several applications for a catechist to teach prayers and Christian doctrine to the Catholic children; whether afterwards they, on several occasions, declined to appoint a Catholic assistant teacher to the workhouse, although strongly recommended and sanctioned by the Local Government Board; whether he is aware that 90 per cent of the inmates, and nearly all the children, are Catholics; whether he is aware that the right hon. Baronet the Member for the Bridgeton Division of Glasgow (Sir George Trevelyan), and the right hon. Member for Newcastle-upon-Tyne (Mr. John Morley) when Chief Secretary for Ireland, and the Local Government

Board expressed disapproval of the conduct of the Guardians; whether the parish priest, the Very Rev. Hugh McFadden, with the approval of the Catholic Bishop, resigned the chaplaincy of the workhouse on account of the persistent refusal of the Protestant majority of the Board to grant a religious educatian to the Catholic children; whether, in consequence, the workhouse of Donegal has been without a Catholic chaplain for the past five years, 90 per cent of the inmates without Divine Service in the Union on Sundays and Holy Days, and without the opportunity of practising their religious duties; whether the Local Government Board have power, under such circumstances, to dissolve the Board of Guardians; and, whether the Government will take any, and, if so, what, means to remedy grievances suffered so long?

MR. MACARTNEY (Antrim, S): Perhaps it would be convenient for the right hon. Gentleman to answer Question 53 at the same time.

MR. MAC NEILL: I would prefer that my Question should be answered by itself.

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have here the answer both to Question 21 and 53; but as the subject is a purely local one, and as the answer covers about six pages of foolscap, I think it would be more convenient that the hon. Gentlemen should allow me to show them the answer, and then send it up to the newspapers, rather than I should trouble the House with an extremely long and dull recital.

MR. MAC NEILL: Mr. Speaker, my Question is one of great importance, and I shall insist upon its being answered orally.

MR. SPEAKER: It is not competent for the hon. Gentleman to force a Minister to make a reply in a particular form. If the right hon. Gentleman chooses to give his answer in writing, I know of no power to force him to give it orally in the House.

MR. A. J. BALFOUR: I hope the House will understand it is really out of respect to the House I refrain from reading this document; but if the House wishes to hear it, I shall be happy to read it. [*Home Rule cries of:* "Read, read!" *and Ministerial cries of* "No, no!"]

The reply was as follows:—1. The only complaint made, so far as the Local Government Board are aware, respecting the exclusion of Roman Catholics from official positions had reference to the workhouse teachers; but observations may have been made as to the general tendency of the Guardians in that respect. 2. It is not the case that a Resolution was passed that the appointment of a Roman Catholic to any office be not entertained for 12 months. The Resolution of June 2, and a further one of June 16, related only to teachers, and the consideration of that question was postponed for 12 months. With respect to the office of schoolmistress, three vacancies occurred within recent years. The first was in October, 1882, on the resignation of the Protestant teacher, who had held the post for 16 years; the second was in June, 1885, and the third in June, 1887. With regard to the first of these vacancies, the clerk states that a Protestant was appointed who had been trained as a teacher in the Kildare Street Training Institution, and who had been engaged for seven years as a teacher of a school in Donegal. The Roman Catholic candidate was, the clerk says, only 19 years of age, and, therefore, ineligible under Article 32 of the General Regulations. For the second vacancy a Protestant was again selected. This teacher was not classed under the National Board of Education; but she had been trained in the Londonderry District Model School. One of the Roman Catholic candidates had a certificate of the second class under the National Board, besides other qualifications. On the occasion of the third vacancy the highest qualified candidate was elected. She is a Protestant, and holds a certificate of the first class under the National Board of Education, and is now in office. The candidate who was supported by the Roman Catholic Guardians on this occasion was neither trained nor classed. 3. The clerk reports that it is not a fact that any of the teachers referred to were compelled to resign; but it would seem that in 1884 the National Education Commissioners had reported to the Guardians that the then schoolmistress had failed to pass a qualifying examination of theirs. The statements in paragraphs 4 and 5 are correct. 6. The clerk states that 79 per cent. of the

inmates, and 78 per cent. of the children, are Roman Catholics. 7. It is the case that the right hon. Gentlemen named, as also the Local Government Board, expressed regret at the continuance of the existing state of things. 8. In April, 1883, the Roman Catholic chaplain of the workhouse (the Very Rev. H. McFadden, P.P.) resigned his position by direction of the Roman Catholic Bishop, on the ground of the non-appointment of a Roman Catholic catechist. 9. No one has acted in the capacity of Roman Catholic chaplain of the workhouse since 1883; but the Local Government Board are informed that all the inmates who are able are at liberty to attend Mass at the chapel in Donegal, which is only a few hundred yards from the workhouse, and that the parish priest visits the sick. 10. The Local Government Board cannot dissolve the Board of Guardians because the Guardians have declined to appoint a Roman Catholic assistant teacher or catechist; and the Solicitor General for Ireland of the day informed this House on December 2, 1884, that the section of the Act authorizing the substitution of paid Guardians does not apply to this case. 11. The Local Government Board have endeavoured to induce the Board of Guardians to appoint an assistant Roman Catholic teacher; but this the Guardians have declined to do, although they are apparently willing to allow an additional salary to the chaplain if he would himself employ a catechist to assist him; and in 1884 the Local Government Board offered to the late chaplain, if he would resume duty, an increased salary in consideration of the extra labour caused to him through the teacher not being a Roman Catholic; but he declined to accept it. I fear I am unable to suggest any further remedy in the matter.

POOR LAW (IRELAND)—SALARY OF THE ROMAN CATHOLIC CHAPLAIN OF DONEGAL WORKHOUSE.

MR. MACARTNEY (Antrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the salary of the Roman Catholic Chaplain of Donegal Workhouse has been raised; and, if so, when; whether any grounds were ever stated by the Roman Catholic chaplain for such increase; and, if so, what were they; whether the duties of chaplains as to catechising children are specified in the chaplain's books; and, if so, what are they; what were the number of visits paid by the respective chaplains of Donegal Workhouse for this purpose in the years 1880, 1881, 1882, and 1883; whether any reports have been made as to the frequency or not of such visits; what are the arrangements with regard to the catechising of Roman Catholic children in Donegal Workhouse, and whether they have hitherto worked satisfactorily; whether he is aware that the Roman Catholic Bishop has prohibited any priest under his jurisdiction from acting as chaplain to the workhouse; and, what are the number of children at present in the workhouse?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.) handed the reply to the hon. Gentleman, which was as follows:—The Clerk of Donegal Union reports that—1 and 2. The salary of the Roman Catholic chaplain was increased in 1868, on the ground that he was obliged to instruct and catechise the inmates of the workhouse. 3. This duty is specfied in the chaplain's books as follows:—That the chaplains are to examine and catechise the children not less than once in every month, and after each of such examinations record the same, and state the general progress of the children in a book to be kept for that purpose, to be laid before the Guardians. 4. In 1880 the Roman Catholic chaplain paid two visits, the Protestant chaplain 23 visits. In 1881 the Roman Catholic chaplain paid one visit, the Protestant chaplain 20 visits. In 1882 the Roman Catholic chaplain paid 1 visit, the Protestant chaplain 20 visits; and in part of 1883 the Roman Catholic chaplain paid 4 visits, and the Protestant chaplain 10 visits. 5. The Local Government Inspector did complain in January, 1883, of the neglect of his duties on the part of the Roman Catholic chaplain in not catechising the children, and similar complaints had previously been made by successive Inspectors against successive chaplains. 6. When the schoolmistress is a Protestant a senior pupil (R.C.) acts as a monitor to hear the Roman Catholic children repeat their catechism, &c., and to teach the younger, and this system has been carried out

satisfactorily. 7. The statement respecting the Roman Catholic Bishop is correct. 8. The number of Roman Catholic children is 14, and of Protestant 5. Total, 19.

NAVY (SHIPS)—H.M.S. "BUZZARD."

SIR EDWARD WATKIN (Hythe) asked the First Lord of the Admiralty, If H.M.S. *Buzzard* has required any, and what, repairs since her trial trip; and, having left England for Halifax on June 16, what time the *Buzzard* took in making the voyage?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): There were various adjustments required to the machinery of the *Buzzard* after her 96 hours full-power trial; but, with the exception of one slight defect in her cylinder, the repairs required both to hull and machinery were of a trivial nature. She was eight days making the passage to Madeira, and occupied 26 days in proceeding from that port to Halifax under the usual orders to use economical speed and to make use of her sail-power when it was feasible.

PRISONS (IRELAND)—THE INQUEST AT MITCHELSTOWN ON MR. MANDEVILLE.

MR. SHAW LEFEVRE (Bradford, Central) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will lay upon the Table of the House the three communications from the Prisons Board in Dublin to the authorities of Tullamore Gaol with respect to the treatment of Mr. Mandeville, which the Governor of the gaol refused to produce at the recent inquest?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I find that all the prison papers are away from Dublin at the place where the inquest on Dr. Ridley's body is being carried on. I have attempted by telegraph to find out some particulars about the matter. As far as I can gather from the telegraph, the instructions in question were of the barest possible kind. They were simply that the Governor should obey the Prison Rules, subject to the opinion of the doctor.

MR. CLANCY (Dublin Co., N.): May I ask the right hon. Gentleman, whether some of the instructions were not conveyed orally by the authority of the Prisons Board?

MR. A. J. BALFOUR: As I understand the Question of the right hon. Gentleman, it refers to three communications, which, he states, the Governor refused to produce on the ground that they were privileged documents. I do not know whether the right hon. Gentleman has accurately quoted the evidence given at the inquest, or whether he has means of accurately quoting it; but I assume there were three instructions in writing which the Governor refused to produce. The Government could not produce verbal instructions.

MR. CLANCY: Will the right hon. Gentleman have the documents produced?

MR. A. J. BALFOUR: That is precisely the Question I answered the right hon. Gentleman just now.

THE BANKRUPTCY ACT, 1883 — SEC. 122—THE DRAFT RULES.

MR. J. CHAMBERLAIN (Birmingham, W.) asked the President of the Board of Trade, Whether the Lord Chancellor and the President of the Board of Trade have considered the Draft Rules under section 122 of "The Bankruptcy Act, 1883," prepared by the Departmental Committee appointed last year, and laid upon the Table of the House; and, whether the Lord Chancellor and President of the Board of Trade propose to proceed with such Rules?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.) in reply, said, it was the intention of the Lord Chancellor to proceed with those Rules. The reason for delay was that they had been communicated by Circular to the County Court Judges, and numerous conflicting observations had been made in reply.

PUBLIC HEALTH—MEDICAL OFFICERS OF HEALTH—THE RETURN.

DR. FARQUHARSON (Aberdeenshire, W.) asked the President of the Local Government Board, When the Return granted in August, 1887, in continuation of Parliamentary Paper, No. 359, of Session 1873, as to the appointment of Medical Officers of Health, will be in the hands of Members?

SIR LYON PLAYFAIR, (Leeds, S.) also asked, When the Return relating to Medical Officers of Health, ordered by the House on August 12, 1887 (No. 22), will be presented; and, whether he can assure the House that it will be ready for the Autumn Session?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): It has been necessary to obtain Returns from more than 1,500 authorities, and in some cases several applications have had to be made for the information required. The Returns are now complete; but in some cases further inquiries will be necessary. We hope to have the Return in the hands of the printers in about three weeks from the present time; and we shall endeavour to expedite the printing as much as possible.

ROYAL IRISH CONSTABULARY — "SMYTH *v.* MADDEN AND CURRY"—PAYMENT OF LEGAL EXPENSES OF CONSTABLES.

MR. EDWARD HARRINGTON (Kerry, W.) (for Sir THOMAS ESMONDE) (Dublin Co., S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, By what Rule of the Police Force, or Act of Parliament, the Attorney General sanctioned the payment out of the public funds of the amount of the verdict and costs recorded against Constable Curry, "on the grounds that he had acted reasonably as a public officer," in the action of "Smyth *v.* Madden and Curry," for slander and false arrest, heard before the Recorder of Dublin, at Kingstown, April 15, 1887; and, upon what authority did the Recorder alter the verdict subsequent to the hearing of the case?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Rule as to the payment of the legal expenses of constables against whom proceedings have been taken for acts done by them in the execution of their duty is the same in the Royal Irish Constabulary, the London Metropolitan Police, and in the Dublin Metropolitan Police. The invariable practice is for the constable in the first instance to defend himself; and when the proceedings have terminated, the propriety of indemnifying him is considered and decided by Government. I have no knowledge of the matter referred to in the last paragraph, nor have I any title to make inquiry on the subject.

METROPOLITAN POLICE—SOCIALIST MEETINGS—POLICE SUPERVISION.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Secretary of State for the Home Department, If it is a fact that Police Constable 529 V was sent to the house of a man named Dalshaw, on July 20, to ask him if he contemplated speaking at a meeting next Monday, and if he also stated that he had orders to report the time and place of all Socialist meetings to the District Inspector; if this was by Sir Charles Warren's orders, and if this system of police supervision exists by the Home Secretary's authority; and whether the supervision extends to all public meetings?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the Chief Commissioner that no such inquiry was made by the police constable; that no such statement was ever made by him to Dalshaw; that no such orders had been issued; and that, therefore, there could be no system of police supervision; and that the man Dalshaw was quite unknown to the police.

LAW AND POLICE—CELLS AT POLICE STATIONS — INSANITARY CONDITION.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Secretary of State for the Home Department, If it is the intention of Her Majesty's Government to do anything to remedy the insanitary state of the cells at many London and Provincial police stations?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; it is the intention of the Government to do everything in their power to remedy the insanitary state of the cells in London and the Provinces. Active communication is now proceeding with the various Local Authorities; and there is every prospect that it will be found possible to carry out the recommendations of the Committee.

THE JURY SYSTEM (IRELAND)—WICKLOW ASSIZES — EXCLUSION OF CATHOLICS.

MR. W. J. CORBET (Wicklow, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, on the subject of excluding Catholics from serving on

juries, Whether it is the fact that, although the Catholic population of Wicklow stands to the Protestant in the relation of four to one, exclusively Protestant juries have been sworn for the trial of capital cases; whether he is aware that on one occasion the Catholic jurors held a meeting in the Town Hall, and passed a Resolution protesting against their treatment; whether he has seen the following observations, made by the presiding Judge at the opening of the Wicklow Assizes on Saturday last, as reported in the Conservative journal, *The Irish Times*, of July 30:—

"His Lordship said that at the last Assizes there was reason to complain that without necessity some jurors were required to come into the jury box, which caused great delay, only to be told to stand by, therefore he had conveyed to the Attorney General his disapproval of the course, and he would request the Crown Solicitor to have the names called, and if his mind was made up as to a juror not serving on the jury to say so before he went into the box. Some jurors had complained to him, and there was needless offence caused to them in the Court by calling them into the box and then ordering them to stand by;"

and, whether, in view of the observations of Judge O'Brien, the practice of excluding Catholics from serving on juries will be discontinued?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): Perhaps I may be allowed to answer the Question. There is no foundation for the suggestion that jurors were excluded from serving on juries in Wicklow because of their religious belief. A meeting of Catholic jurors is reported to have been held in the Town Hall. My attention has been called by the Question to the report of the observations attributed to Mr. Justice O'Brien. His observations apply merely to the time at which the Crown Solicitor should direct a juror to stand by, and have no reference to the religious belief of any juror, or to any question as to the exclusion of jurors on any such ground. Those acting on behalf of the Crown will be most willing to adopt the suggestion of the learned Judge; but there is no power to compel those acting on behalf of prisoners to take the same course in the case of challenges.

MR. W. J. CORBET: Is it not a fact that on the day after he made these observations the learned Judge quashed a jury panel on the ground that it had been improperly constituted; whether a number of prisoners had been previously convicted of resistance at an eviction; whether the Judge was asked to make an order for the release of these prisoners, and replied that it was a question for the Executive; and whether, under these circumstances, the Government will see to the release of the prisoners?

MR. MADDEN: There were two objections to a constitution of the jury panel at the Wicklow Assizes. One was a technical matter—non-compliance with the statutes—and upon that ground the whole panel was quashed. On the question of the alleged misconduct on the part of the Sheriff, the triers unanimously found in favour of the Sheriff. I have no specific information with regard to the prisoners referred to by the hon. Member.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked whether, as the religion of every person in Ireland was officially ascertained by the Census, the hon. and learned Gentleman would have any objection to an arrangement by which the question might be tested? The agents of the Crown systematically excluded Catholics.

MR. MADDEN: I must ask the hon. Gentleman to give Notice of the Question.

MR. J. E. REDMOND (Wexford, N.) said, he did not think the hon. and learned Gentleman had precisely answered the first paragraph of the Question. He (Mr. Redmond) wished to ask him whether it was the fact that although the Catholic population of Wicklow stood to the Protestant in the proportion of four to one, exclusively Protestant juries had been sworn for the trial of capital cases?

MR. MADDEN said, he had no specific information as to the proportion of Catholic and Protestant population. No juror had been excluded on the ground of his religion.

MR. MAC NEILL (Donegal, S.) asked the Secretary of State for the Home Department, whether it was not the invariable practice in England to have no "stand asides" in criminal cases by the Crown; and whether Mr. Justice Stephen had not stated that, in his whole experience, he only knew of two cases?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I think

a Question as to the practice of a Court of Law should not be asked without Notice. An objection to a juror is not raised in England the same way as in Ireland. The practice in England is not to challenge the jurors in the box; but to communicate privately with the officers of the Court.

MR. T. M. HEALY (Longford, N.) asked whether, in regard to the score of cases which had been transferred, the hon. and learned Gentleman would give the name of a single Catholic who had been allowed to serve on a jury?

MR. MADDEN said, it was impossible for him to give such a case.

MR. W. REDMOND (Fermanagh, N.) asked whether, if Catholics were not excluded from juries in Wicklow because of their religion, the hon. and learned Gentleman would say whether they were excluded because of their politics? Did the hon. and learned Gentleman wish them to believe that it was by chance that Protestant juries exclusively had been appointed over and over again to try cases in Wicklow, although there were four Catholics to one Protestant in the population?

MR. MADDEN said, he was perfectly willing to lay on the Table the Rules by which the action of the Crown Solicitor was regulated in regard to the challenging of jurors. He had known Crown Solicitors for the last 20 years, and he knew that they went by those Rules, and those only.

EDUCATION DEPARTMENT (SCOTLAND)—ELEMENTARY SCHOOLS, STIRLINGSHIRE.

MR. J. C. BOLTON (Stirling) asked the Lord Advocate, Whether, in view of the dissatisfaction reported to exist with the method and severity of the examination in specific subjects in the elementary schools of Stirlingshire, he will inform the House the number of presentations in specific subjects in Stirlingshire in Standards V., VI., and ex-VI. in the year last completed, before the present Inspector was appointed; and the number of presentations in the same subjects and standards in the last completed year under the present Inspector?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): In 1883-4 the number of presentations in specific subjects in Standards IV. to ex-VI.—the numbers in each Standard not being recorded separately—was 5,688. Of these, 2,594 were in English literature, a subject which is now a class, not a specific subject. In 1886-7 the number presented in Standards V. to ex-VI., to which specific subjects are now confined, was 2,832. In making a comparison, it must be remembered that the figures for the later period include no presentations in Standard IV. nor in English literature. These have recently been excluded by an alteration in the Code.

CANALS, &c.—PURCHASE BY THE STATE.

MR. WATT (Glasgow, Camlachie) asked the President of the Board of Trade, Whether the Government have come to any decision with regard to the advisability of the purchase by the State of the canals throughout the country; and, if so, whether he is prepared to make any statement on the subject?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, what he had suggested to the hon. Member for Glasgow, who advocated the State purchase of railways, was to direct his attention to the purchase of canals as a more feasible proposal, and one to which less objection could be offered. But he did not undertake, on behalf of the Government, to bring in a Bill on the subject. He might say that under the Railway and Canal Traffic Bill of this year Returns would be received from the Canal Companies of the United Kingdom which would throw light which they did not now possess on the traffic of these canals, and the terms on which they could be bought, if their purchase were thought desirable. The subject could not be properly considered until they had these Returns.

INDIA—THE CANTONMENTS ACTS.

MR. JAMES STUART (Shoreditch, Hoxton) asked the Under Secretary of State for India, Whether the Indian Government have yet taken any steps to carry out the unanimous Resolution of this House of June 5 last, in so far as it affects the Cantonments Acts; and, whether he will make inquiry by telegraph as to what steps are being taken in this matter, so that the House may be in-

formed of the fact before the Indian Budget is discussed?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The Bill of the Government of India dealing with the subject of contagious disease has not yet been received by the Secretary of State, because there has not been time for its transmission to this country. While awaiting the receipt of this Bill the Secretary of State does not propose to make any further communication to the Government of India.

MR. JAMES STUART asked, whether the hon. Gentleman would obtain that information before the Indian Budget was brought on?

SIR JOHN GORST had already said that, awaiting the arrival of the Bill, the Secretary of State did not propose to make any further communication to the Indian Government. He hoped that before the Bill arrived the Indian Budget would have been discussed and the House would have adjourned.

INDIA—LOCK HOSPITALS—STATISTICS.

MR. JAMES STUART (Shoreditch, Hoxton) asked the Under Secretery of State for India, (1) Whether, in reply to the despatch of the Secretary of State for India, dated August 11, 1887, requesting that any available statistics in regard to lock hospitals in the Punjaub, as well as in other parts of India, should be regularly forwarded in future, the India Office have received copies of the Annual Report of the Secunderabad Lock Hospital for 1887, and of the lock hospital in Lucknow for 1887; (2) whether the India Office possesses the reprint, dated August 1, 1887, of the Cantonment Regulations containing the *Special Committee's Exposition of the Lock Hospital Rules*, or any other copy of that *Exposition;* and, (3) whether these Lock Hospital Rules are at present in force or not?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): My answer to the first Question is no, they are not yet received; (2) yes; (3) paragraph 7 of the despatch of the Secretary of State, No. 180 of May 17, 1888, which has already been presented to Parliament, instructed the Government of India to undertake a careful revision of the Cantonment Lock Hospital Rules upon the principles there laid down. The carrying out of these instructions will supersede many of the existing Rules.

MR. JAMES STUART asked, whether the India Office were generally so long in receiving the important documents they asked for as in this case? The document to which he referred was issued on January 1 last.

[No reply.]

MR. M'LAREN (Cheshire, Crewe) said, that Viscount Cross lately stated to a deputation that the whole of the Regulations under the Cantonments Acts with regard to those diseases were absolutely suspended and non-existent; and he asked whether the Under Secretary of State for India would corroborate that statement now?

SIR JOHN GORST said that the statement of the Secretary of State ought to satisfy the hon. Member, and that no corroboration of it by the Under Secretary was required.

MR. M'LAREN said, he had only asked the Question in consequence of an answer just given by the hon. Gentleman.

MR. JAMES STUART gave Notice that he would raise the question on the Indian Budget.

BUSINESS OF THE SESSION—VOTES IN SUPPLY.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked the Secretary of State for War, Whether he proposes to ask the House to vote before the adjournment those Votes which are contentious, and the reduction of which is to be moved, particularly Vote 11, to which Members who had general objections to the first Money Vote were referred when they allowed that Vote to be taken?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle), in reply, said, that Vote 11 would not be taken before the adjournment of the House.

BANKRUPTCY (IRELAND)—ADJUDICATIONS, &c., CO. LIMERICK.

MR. O'KEEFFE (Limerick City) asked Mr. Solicitor General for Ireland, If he can state the numbers of all bankruptcy adjudications, arrangement cases, and compositions after bankruptcy from Limerick City and County, from the North Riding of County Tipperary,

Clare, and north of Kerry within the past five years; whether those districts at present constitute the probate jurisdiction of the Registry at Limerick; whether he can state the amount of liabilities involved in such bankruptcy cases; and, whether he will consider the advisability of constituting the City of Limerick a centre for examination of witnesses and winding up of such insolvent estates?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University), in reply, said, he was not at present in a position to give the hon. and learned Gentleman the information he desired in the first paragraph of his Question. The answer to the second paragraph was in the affirmative.

MARRIAGES (SCOTLAND)—FEES FOR PUBLISHING BANNS.

MR. PHILIPPS (Lanark, Mid) asked the Lord Advocate, What use the Clerks of Kirk Sessions have made of the sums they have obtained in various parishes of Scotland by their exaction of the excessive fee of 10*s.* for publishing the banns on a single Sabbath?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I am unable to answer this Question. Any person who feels aggrieved at having paid more than the proper fee can raise a small debt action asking restitution, and so have the point settled.

MR. PHILIPPS asked, who got the money; was it the Clerks of Kirk Sessions or the Established Church?

MR. J. H. A. MACDONALD asked the hon. Gentleman to give Notice of the Question, as he was not at present in a position to answer it.

LAW AND POLICE (METROPOLIS)—CONVICTION OF THOMAS RUSSELL FOR ASSAULT ON POLICE CONSTABLE 326M.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Secretary of State for the Home Department, Whether his attention has been called to a case heard at the Southwark Police Court on Monday, when a carman named Thomas Russell was convicted by Mr. Slade of assaulting Police Constable 326M; whether the evidence for the prosecution was that of four civilians, who swore that the prisoner did not assault the constable, and that the officer was drunk and struck the prisoner and several other persons; and whether the evidence for the defence was that of an inspector and a constable, who were not present when the alleged assault was committed, but swore that the prosecutor was sober when they saw him about that time; whether Mr. Slade is correctly reported to have said that—

> "After the evidence of the Inspector he could not believe in the serious charge of drunkenness made against the constable, and he had come to the conclusion that the evidence for the defence had been got up to screen the prisoner;"

and, whether he will inquire into the circumstances of the case?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have obtained a Report from the magistrate on this case, from which it appears that four civilians gave the evidence quoted, for the defence and not for the prosecution. The Inspector who took the charge and two constables who were with 326M before and after the occurrence respectively swore that he was quite sober. The prisoner did not deny the charge at the station, and made no complaint against the constable. The magistrate, after careful hearing, deemed the defence set up to be utterly untrue, and the charge of drunkenness to be amply disproved. He gave the prisoner an opportunity of appealing; but this he refused to do, and paid the fine. I see no reason to interfere with the decision of the magistrate.

PUBLIC MEETINGS (IRELAND)—PARTY DEMONSTRATION AT ENNISKILLEN—COLONEL KINLOCH.

MR. W. REDMOND (Fermanagh, N.) asked the Secretary of State for War, Whether he is aware that Colonel Kinloch actually stood on the platform at the meeting in Enniskillen on July 12; and, whether the Government will give instructions to officers in Ireland to keep away from the vicinity of party demonstrations?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I have already stated that Colonel Kinloch took no part in the meeting referred to. I agree that it is desirable that the Queen's Regulations on the subject of

political meetings should be strictly adhered to.

MR. W. REDMOND: I am really very sorry to trouble the right hon. Gentleman further about this matter. It is a serious case for me, because the allegations I have made against this gentleman have been denied. I wish to ask the right hon. Gentleman, whether he is prepared to say decidedly that Colonel Kinloch did not go to the platform of this meeting, as I have information from people I cannot disbelieve that Colonel Kinloch did go to the meeting, and conducted two ladies there, and that he stood on the platform if he did not make a speech?

MR. E. STANHOPE: I have already stated to the House Colonel Kinloch's own version. What he assures me is that he was in plain clothes, and that he watched the procession going past as a spectator. The hon. Gentleman was good enough to give me for another purpose a photograph of the platform, about which I will make inquiries; but it shows that Colonel Kinloch was not on the platform.

MR. W. REDMOND: I wish to ask the right hon. Gentleman, whether he will state positively whether Colonel Kinloch was not on the platform; and as Colonel Kinloch states he went to the meeting as a spectator, I wish to ask him whether it is not desirable, in a place where party feeling runs so high as it does in Enniskillen, that officers should not even go as spectators, seeing how hard it is for many people to discern between a man going as a spectator and a man going as a sympathizer?

MR. E. STANHOPE: I have already stated that the Queen's Regulations must be fully carried out. Beyond that I do not think it right to deprive an officer of his civil rights.

AFRICA (WEST COAST) — CUSTOMS DUTIES LEVIED BY THE ROYAL NIGER COMPANY.

MR. PICTON (Leicester) asked the Under Secretary of State for Foreign Affairs, Whether there would be any objection to lay upon the Table of the House a Return showing the nature and amount of Customs duties levied by the Royal Niger Company on merchandise imported into the countries bordering the River Niger up to Sago, and the River Binne up to Yola, together with the nature and amount of duties levied by the Company on the export of native produce from these countries?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): There will be no objection to grant the Return if the hon. Member moves for it.

AFRICA (WEST COAST)—THE ROYAL NIGER COMPANY.

MR. PICTON (Leicester) asked the Under Secretary of State for Foreign Affairs, Whether the Government has received any Report of recent disputes or hostilities between the servants of the Royal Niger Company and the King and people of Onitcha; and, whether he can give the House any information as to the cause and nature of the dispute?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): No such Report has been received. The council of the Niger Company states that there is no truth in the rumour.

MR. PICTON asked, whether the name "Royal Niger Company" implied that it was under the British Government, and that they were responsible for it?

Sir JAMES FERGUSSON replied that the word "Royal" before the name of a Company meant that it was a Company incorporated by Royal Charter. Her Majesty's Government retained a supervision over the Company, which was obliged to render to them Reports from time to time.

EVICTIONS (IRELAND) — THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE—CASE OF JOANNA O'DEA

MR. JORDAN (Clare, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to a report of the Vandeleur evictions in *The Daily News*, of July 31; whether the Sheriff, Mr. Croker, evicted a tenant named Joanna O'Dea; whether a sick child six years old, afflicted with spinal complaint and idiotic, was lying on a straw bed near the fire; whether the authorities compelled the inmates to remove the invalid from the dwelling house to an outhouse; and, whether he will take steps to prevent such occurrences in future operations?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Divisional Magistrate reports that at the eviction in question there was a child in the house. The doctor saw it, said it was idiotic, and must have been so for a very long time; but that there was nothing to prevent its being removed. It was taken outside by the woman of the house, and was not taken to an outhouse; and that there was no inhumanity whatever about the proceedings.

EVICTIONS (IRELAND)—THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE—CASE OF MARY O'DEA.

MR. JORDAN (Clare, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to a report in the *The Daily News*, of July 31, in which it is stated that, on Monday last, at the Vandeleur evictions, the Sheriff, Mr. Croker, broke with a sledge hammer the door of the house of Mary O'Dea, and evicted her, and that she afterwards fainted; and, whether the eviction was legal; and, if so, whether the Government will grant Mary O'Dea compensation, or take steps to compel the party liable to compensate her for the damage and loss sustained and for the illegal eviction?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Divisional Magistrate reports that the Sheriff informs him that a holding was pointed out to him as the herd's house of the farm just evicted. One of the men forced the door open with a hammer. A man was inside; no woman whatever was seen. When the man said he had not been served, the Sheriff withdrew. They were not evicted, and have their own remedy against the Sheriff if they choose. The Government have no power over the Sheriff.

EVICTIONS (IRELAND) — THE EVICTIONS ON THE VANDELEUR ESTATE, CO. CLARE — ALLEGED DESTRUCTION OF FURNITURE, &c., AT KILRUSH.

MR. JORDAN (Clare, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been directed to the telegram in *The Star*, of the 1st of August, addressed to the hon. Member for North Dublin County (Mr. Clancy), at the House of Commons, from Mr. Kerr, a Scotch Justice of the Peace, stating that he saw with his own eyes—

> "The tenants' furniture ruthlessly destroyed, the furniture, bedroom ware, clothes, contents of sleeping room, without any consideration whatever. This happened at Kilrush;"

and, whether, in view of this independent testimony, he still adheres to his statement that he believes the report of the officials in the matter?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have given the fullest available information on the general subject of this Question. I do adhere to my belief as to the accuracy of that information. The wilful destruction of property alleged would, I apprehend, be clearly illegal, and those concerned in the matter have an ample opportunity of testing it in a legal manner.

MR. JORDAN: If I supply the right hon. Gentleman with the testimony of other independent witnesses, will he still adhere to his references to my veracity in this matter?

MR. A. J. BALFOUR: The hon. Gentleman is under a misapprehension. I expressed no opinion on his veracity. I expressed a very strong opinion on the veracity of Colonel Turner, and to that opinion I adhere.

SUPPLY—CIVIL SERVICES—THE SALARY OF PARLIAMENTARY SECRETARY, LOCAL GOVERNMENT BOARD.

MR. M'LAREN (Cheshire, Crewe) asked the Secretary to the Treasury, Whether in the Vote on Account for the Civil Services, which is to be moved, there is included any portion of the salary of the Parliamentary Secretary to the Local Government Board; and, if so, what amount; and on what day the Vote will be moved?

THE SECRETARY (Mr. JACKSON) (Leeds, N.), in reply, said, the Vote would include a portion of the salary of the Parliamentary Secretary, and he expected that it would be taken to-morrow.

MR. M'LAREN gave Notice to move a reduction of the hon. Member's salary.

BURMAH (UPPER)—SALE OF INTOXICATING LIQUORS AND OPIUM—THE RETURNS.

MR. BRYCE (Aberdeen, S.) asked the Under Secretary of State for India,

When the Returns relating to the issue of licences for the sale of intoxicating liquors and of opium in Upper Burmah, for which an Address was voted by this House in August, 1887, will be presented to the House?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham: The Returns are now received, and will be presented this day.

THE CIVIL SERVICE (IRELAND)—SIR PATRICK J. KEENAN, RESIDENT COMMSIMISSIONER OF NATIONAL EDUCATION.

DR. KENNY (Cork, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the P. J. Keenan, whose name appears in *The Dublin Gazette* of July 6 and July 10, 1888, appended to Dublin Castle Proclamations, and also to many other similar Proclamations on various other occasions, is the same P. J. Keenan whose name appears in the Estimates as paid Resident Commissioner of National Education, Ireland; if so, will he state on what grounds the said P. J. Keenan is exempted from the Rule of the Civil Service requiring all paid officials to devote their entire time to the duties of their offices, and forbids them taking part in other business; whether the meetings of the Privy Council in Dublin Castle are held during the ordinary business hours for Civil servants; and, whether it is the custom in England for Civil servants, who happen to be also Privy Councillors, to take any active part in the Executive Government of the country?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The gentleman referred to is Sir Patrick Keenan, the Resident Commissioner of National Education. It is not the case that his name appeared in *The Dublin Gazette* of the 6th and 10th of July, or in *The Gazette* of any other date, appended to Dublin Castle Proclamations, as he has never signed any such Proclamations. His name appears in *The Gazette* mentioned in two Orders of a routine character, one approving of an expenditure of money for the improvement of a lunatic asylum, and the other approving, as required by Statute, of a Rule as to costs adopted by the Judges. There is no such Rule in the Civil Service as that suggested. But, in any case, the duties performed by Sir Patrick Keenan as a Privy Councillor do not interfere with the discharge of his official duties as Resident Commissioner of National Education. The meetings of the Privy Council do not take place at any fixed hours, but are frequently held after the ordinary business hours for Civil servants.

BURGH POLICE AND HEALTH (SCOTLAND) BILL — REPORT OF THE SELECT COMMITTEE.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked the Lord Advocate, If he will take care that, before the House is asked to discuss the clauses of the Burgh Police and Health (Scotland) Bill, as settled by a Select Committee, Members are put in possession of the Report and proceedings of that Committee?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I am informed that the proceedings of the Committee will be circulated to-morrow morning.

MASTERS AND WORKMEN—EXCESSIVE HOURS OF WORK (WILLIAM LOVE).

DR. CLARK (Caithness) asked the Secretary of State for the Home Department, Whether his attention has been called to the Coroner's inquest on the body of William Love, who died on June 4 from the effects of a fall at Wheelock Works, Northwich; whether this man had been at work for 17 hours when the fatal injury occurred; whether it is the case that at these works there are shifts of 23 hours continuously; and, whether he will consider the desirability of introducing a measure to deal with such excessive hours of toil?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; my attention has been called to a newspaper report of the inquest, from which it appears that this man had been at work for 17 hours when the accident occurred. He was engaged on a night shift, which lasted from 1 on Saturday till 8 on Sunday morning. I agree with the hon. Member that this was a shift of excessive length; but I gather from the report of the inquest that the death was caused by the imprudence of the deceased in endeavouring to oil the

machinery when standing on some pipes, instead of on the platform provided for the purpose. I cannot undertake to introduce legislation for the purpose of curtailing the hours of labour contracted for by adult persons.

NAVY—WARLIKE STORES—SUPPLY—NAVY ESTIMATES, VOTE 9.

MR. HANBURY (Preston) asked the First Lord of the Admiralty, Whether he accepts as correct the statement in the First Report of the Committee on Army Estimates that—

"The Admiralty are now solely responsible to Parliament for the sufficiency or insufficiency of warlike stores provided for the use of the Navy;"

and, if not, which Department is, in fact, responsible for the sufficiency of Vote 9, now for the first time included in Navy Estimates; whether, when that Vote was transferred to and included in Navy Estimates, a complete statement had been furnished by the War Office to the Admiralty of moneys received and moneys actually expended by the War Office for naval ordnance up to that date, and whether any amount so received by the War Office still remains unaccounted for to the Admiralty, and is not represented by ordnance stores of equal value held for or handed over to the Navy by the War Office; whether a complete statement had then been, or has since been, furnished to the Admiralty of the number and kinds of guns, and also of the amount and description of ammunition in the hands of the War Office and belonging to the Navy; whether a complete statement had then been, or has since been, furnished by the War Office to the Admiralty of liabilities incurred and unpaid amounts chargeable to Naval Votes, and whether fresh liabilities are still being discovered; whether the Director of Naval Ordnance has declined responsibility for the sufficiency of the Vote as it now stands, in the absence of proper information from the War Office as to the stores of naval guns and ammunition in its charge and available for use; and, whether the Admiralty some time since sanctioned a further expenditure on account of this Vote; and, if so, whether the increased charge so sanctioned will be provided for out of savings on other Votes or by a Supplementary Estimate?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The Admiralty have only accepted responsibility in reference to the ordnance stores, concerning the amount of which they have complete information; and their position is made clear both in my Memorandum explanatory of the Estimates, as well as in a letter addressed to the War Office on the 27th of April, 1887, and which, I understand, was laid before the Committee on Army Estimates. The transfer of the Vote to the Navy Estimates was made before complete statements of the nature alluded to—of moneys received and expended—were furnished. The information as to guns in the hands of the War Office is complete; that relating to ammunition and other naval stores is promised in its entirety by September 10. As regards foreign stations the information is complete. The record of liabilities incurred and unpaid amounts chargeable to Naval Votes is complete, but has not yet been furnished in full detail from the ordnance factory. There was a large surrender on last year's Vote, the contractors being unable to earn the sums contained in the Estimates to cover the orders given to them. To prevent this year a recurrence of this surrender, a larger proportion of orders to the money voted have been given. I cannot now say whether a Supplementary Estimate will be necessary, as the sums to be paid within the financial year entirely depend upon the progress made by the contractors with the work given to them.

WAR OFFICE—ARMY CONTRACTS—THE NEW VALISE EQUIPMENT.

MR. HANBURY (Preston) asked the Secretary of State for War, Who is the contractor to whom the order for Colonel Slade's contract for the new valise equipment has been given, and what portion of it has already been executed by such contractor?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The hon. Member will see by my reply to a Question put by him on the 20th of July that this contract was given to Colonel Slade himself. No complete sets have yet been supplied; but a few sample sets have come in.

CUSTOMS (STATISTICAL DEPARTMENT)—WRITERS.

MR. JAMES STUART (Shoreditch, Hoxton) asked the Secretary to the Treasury, Whether it is the case that a number of the writers in the Statistical Department of the Customs are engaged upon similar work to that discharged by Lower Division clerks; whether some of these writers have been recommended for promotion; whether the Committee of Inquiry, having in view the reorganization of the Department, have expressed their opinion that a special rate of payment would probably meet the case; and, whether any such special rate of payment has yet been made; and, if not, when it is intended that it shall be made?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): It is the case that some of the writers employed in the Statistical Office in the Customs are engaged upon work of a similar character to that which is discharged by some of the Lower Division clerks. None of these writers have been recommended for promotion. The question of a special rate of payment for the persons employed in tabulating the statistics is being held over for permanent settlement until the Royal Commission on Civil Establishments shall have reported; but, meanwhile, the Treasury have agreed to grant a special rate of payment to the writers referred to by the hon. Member, which will shortly take effect on the introduction of the seven hours' system into the Office.

LAW AND POLICE (METROPOLIS)—HAMMERSMITH POLICE COURT.

MAJOR-GENERAL GOLDSWORTHY (Hammersmith) asked the First Commissioner of Works, Whether Her Majesty's Government is taking any steps for the improvement of the Hammersmith Police Court?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): I have been in communication with the Home Office; and we have now settled the plans for improving and increasing the accommodation for prisoners at Hammersmith Police Court.

COAL MINES, &c. REGULATION ACT, 1887—REFUSAL OF CERTIFICATES.

CAPTAIN HEATHCOTE (Staffordshire, N.W.) asked the Secretary of State for the Home Department, If he can now state the result of his inquiry into the accuracy of the statements made by Her Majesty's Inspector of Mines in justification of his refusal to recommend James Hughes and Thomas Parker for second-class certificates, under section 80 of "The Coal Mines, &c. Regulation Act, 1887;" and, if, in the event of James Hughes and Thomas Parker proving their fitness to receive second-class certificates, and that they have been prevented from following their ordinary employmeat for six weeks in consequence of any inaccuracy or carelessness in the Reports of Her Majesty's Inspector of Mines in North Staffordshire, they will be entitled to fair and reasonable compensation for the loss in wages which they have sustained?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The Inspector of Mines had to exercise his judgment to the best of his ability on conflicting statements of fact as to the real nature of the previous employment of Hughes and Parker which made their claim to receive second-class certificates a matter of doubt and difficulty. I have sought for further information; and upon careful consideration of all the circumstances I have come to the conclusion that Hughes and Parker may have certificates granted to them. No claim for compensation can be entertained.

MERCHANDIZE MARKS ACT IN THE COLONIES, &c.

MR. MUNDELLA (Sheffield, Brightside) asked the President of the Board of Trade, Whether he is using, and will continue to use, his influence with his Colleagues in the India Office, Foreign Office, and Colonial Office to secure the adoption of the principle of the Merchandize Marks Act in our Colonies and Dependencies, and in all foreign countries which have become parties to the Convention of Rome; and, whether he can report any satisfactory progress in this direction?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.): I am doing everything in my power in accordance with the wishes of the right hon. Gentleman. We have no progress to report with regard to foreign countries. With regard to India, I think my hon. Friend the Under Secretary of State for India has already informed the House

that the Local Governments and Councils have been communicated with on the subject, and that a Bill, which is now before the Legislative Council in India, will pave the way for further legislation. A further despatch on the matter is going out to-day. With regard to the Colonies, in nine legislation has been already passed; in one it is proceeding; in 16 it is promised; and from seven no replies have been received; while in six of no great importance legislation is considered unnecessary.

MR. MUNDELLA remarked, that with respect to India there was abundant evidence that falsely-marked merchandize had been shipped to a considerable extent in foreign bottoms.

ROYAL PARKS AND PLEASURE GARDENS—KEW GARDENS—ADDITIONAL FACILITIES OF ACCESS.

MR. TOMLINSON (Preston) (for Sir JOHN WHITTAKER ELLIS) (Surrey, Kingston) asked the First Commissioner of Works, Whether greater facilities of access to Kew Gardens cannot be granted by opening a new gateway entrance?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): I am in communication with the owner of the property lying between the Kew Railway Station and the Gardens, and I have reason to hope that he will agree to the making of a new road through his land. In that case I have undertaken to open a gate directly facing and in view of the exit from the station. This will be an improvement and a great convenience to the public.

OATHS AND AFFIRMATIONS—OATH OF A DECLARED ATHEIST.

MR. BRADLAUGH (Northampton) asked Mr. Attorney General, Whether he is aware that, at Barrow-in-Furness last week, the magistrates refused to allow one John Clegg (who stated that he was an Atheist, and objected to take an oath) to make affirmation, but ultimately permitted him to give evidence on oath; and, whether, under the circumstances, the refusal to allow affirmation, and the taking the evidence on oath, were in accordance with the Law?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I have made inquiries, and have ascertained that the magistrates were not informed of the Statute enabling persons objecting to make an oath to make a "promise and declaration." The refusal, under the circumstances, was not in accordance with the law; but attention having been called to the matter it is not likely to occur again.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL—MR. BUCKLE, EDITOR OF THE "TIMES."

MR. T. M. HEALY (Longford, N.), who had the following Question on the Paper:—"To ask the First Lord of the Treasury, Whether Mr. Buckle, editor of *The Times*, came to see him in reference to the allegations against Members, along with the proprietor of that journal, or separately; and, what were the date or dates of the interviews," said, he would postpone the Question, but asked whether there was anyone who could propose the Motions of which Notice had been given in the name of the First Lord of the Treasury (for suspending the Midnight Rule and applying the Closure after 1 o'clock)?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): Yes, Sir; it is proposed to move the two Motions which stand in the name of my right hon. Friend, and I am prepared to answer the Question of the hon. and learned Member if he wishes it.

MR. T. M. HEALY stated that he had received a letter from the Private Secretary of the right hon. Gentleman (Mr. W. H. Smith), desiring that the Question might be postponed, as the right hon. Gentleman had to attend the funeral of Admiral Codrington, and could not be in his place at Question time. After hearing that letter the right hon. Gentleman could take his own course.

MR. GOSCHEN: I think I can answer the Question. My right hon. Friend the First Lord of the Treasury has had no communication with Mr. Buckle at all on the question. He has not seen him, and has not been called upon by him.

MR. T. M. HEALY: As the right hon. Gentleman takes upon himself to answer for the First Lord of the Treasury without being asked, I will ask him if he can state whether the First Lord of the Treasury saw Mr. Leycester,

chief reporter of *The Times*, in the Gallery of this House, several times on this question?

MR. GOSCHEN: No, Sir; I cannot answer this Question without information.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): With reference to the manuscript read on Thursday, the 12th ultimo, by the First Lord of the Treasury, when the right hon. Gentleman was understood to say that the Government would frame a Bill to institute a Special Commission to report upon the charges and allegations against Members of Parliament only, I wish to ask whether the Chancellor of the Exchequer is aware that the manuscript read by the First Lord of the Treasury was sent to members of the Press Gallery, where it was seen by several gentlemen, and whether it is not a fact that the words "and other persons" did not appear in that manuscript?

MR. GOSCHEN: I have no knowledge whatever of the manuscript having been sent to, or not having been sent to, the Reporters' Gallery. They were the notes of the First Lord of the Treasury, and they were not in the possession of any of his Colleagues.

MR. SEXTON asked, whether the manuscript was or was not sent to the Reporters' Gallery? Could the right hon. Gentleman say whether it did or did not contain the words in question?

MR. GOSCHEN: I have never seen it, and I am not aware that any of my Colleagues have ever seen it. Therefore, I cannot say whether it contained the words or not.

MR. T. M. HEALY asked, whether the Chancellor of the Exchequer knew whether the First Lord of the Treasury would be willing to give the date of his interview or the dates of his interviews with Mr. Walter?

MR. GOSCHEN: No, Sir.

BUSINESS OF THE HOUSE—THE ADJOURNMENT.

MR. CAUSTON (Southwark, W.) asked, whether the Government intended to proceed with the Excise Duties (Local Purposes) Bill before the adjournment; and, if so, when?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): In the present state of Business it is extremely difficult to fix a day.

MR. MUNDELLA (Sheffield, Brightside): Does the right hon. Gentleman intend to bring in this Bill late in the Session, when many Members are away? Members are already pairing and going away.

MR. GOSCHEN: I am in a dilemma with regard to this matter, because the right hon. Member for Mid Lothian (Mr. W. E. Gladstone)—very naturally as I think—insisted the other day that the Bill ought to be brought in before the Autumn Session, on the ground that the tax ought not to be delayed until so late a period of the year. Of course, there is here this circumstance to be borne in mind, that the tax is not an Imperial tax, but a local one. Personally I should have no objection to a postponement of the Bill until the Autumn Session if we cannot bring it on very early next week. But I can only postpone it on the understanding that such postponement is not to be considered in the light of a withdrawal or change of front on the part of the Government.

MR. FIRTH (Dundee) asked, whether the Sitting on Saturday would be devoted to Scotch Business?

MR. GOSCHEN: No; it will be impossible to take Scotch Business on that day. I may state the course of Business during the next two days. It is absolutely indispensable to take a Vote on Account to-morrow for the Civil Service, and on Saturday it will be necessary to take the Report of the Vote on Account of the Army and Navy Estimates. The Army Estimates will be put down for to-morrow, and the Vote on Account may possibly be taken on that night, and in that case the Army and Navy Votes will be proceeded with at a Saturday Sitting.

MR. MUNDELLA inquired whether the right hon. Gentleman supposed that a Vote on Account could be got to-morrow night? There were many subjects that would have to be discussed.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): Which day will be devoted to Scotch Business?

MR. GOSCHEN: In the absence of the First Lord of the Treasury I cannot go beyond the next few days, for which the programme has been absolutely settled; but I know the anxiety of the

First Lord of the Treasury to secure a day for Scotch Business as soon as possible. In answer to the right hon. Member opposite (Mr. Mundella), I have to say that it is our hope and expectation to complete the Vote on Account to-morrow, it being absolutely necessary to secure the money.

In reply to Sir WILLIAM PLOWDEN (Wolverhampton, W.),

MR. GOSCHEN said, the Indian Budget would be taken this Session if it were possible to do so; and, in accordance with the pledge of the First Lord of the Treasury, three clear days' Notice would be given.

WAR OFFICE (SMALL ARMS)—THE NEW MAGAZINE RIFLE.

MR. WOODALL (Hanley) asked, Whether the Secretary of State for War would tell the House the result of the trials with the new magazine rifle; and, whether the statement that had appeared in a Povincial newspaper, to the effect that the rifle had been condemned, was true?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): There is no truth in the statemant. As far as I am aware, the trials have been very satisfactory.

SOUTH AFRICA — ZULULAND — SURRENDER OF NATIVE CHIEFS.

MR. J. CHAMBERLAIN (Birmingham, W.) asked, Whether the Under Secretary of State for the Colonies had received any recent information about affairs in Zululand?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (who replied) said: Yes, Sir. The following telegram has been received from Sir Arthur Havelock:—

"1st August.—Colonial Secretary sent by east coast road reach Umfolosi River without opposition. Somkeli, Chief of that locality, has involuntarily and unconditionally surrendered to authorities. Other Chiefs expected to surrender. Native followers who had come to Dinizulu from beyond Zululand are said to be dispersing. I am not without hopes that Dinizulu himself will surrender. Situation much improved."

PRIVILEGE.

"THE TIMES" NEWSPAPER—BREACH OF PRIVILEGE—RESOLUTION.

MR. LABOUCHERE (Northampton): I wish, Sir, to submit to the House a Question of Privilege. It is with regard to an article in *The Times* newspaper of to-day, portions of which I deem, and I think that other hon. Members when they hear them read will also deem, to constitute a gross breach of the Privileges of this House. In order that I may found a Motion upon it, I believe that I am right in taking the extract of which I complain up to the Table of the House and asking the Clerk to read it.

MR. SPEAKER: Bring it up.

The said Paper was then delivered in, and the passages complained of read as followeth:—

"The endeavour to convict the Government of a change of front because Mr. W. H. Smith, in offering Mr. Parnell the alternative of the Special Commission, omitted the words 'and other persons,' though ever since the notice of the introduction of the Bill was placed on the paper those words have been before the House, and the Opposition allowed the Second Reading to pass unchallenged with full knowledge of them, conspicuously failed; but this and other groundless accusations have afforded Mr. Parnell, Mr. T. Healy, Mr. Sexton, Mr. T. P. O'Connor, and the rest the opportunity to pour out a flood of blackguardism—we can call it by no other name—on *The Times* and the persons responsible for its conduct, which we venture to say is absolutely without parallel in Parliamentary history. We are completely indifferent to abuse, calumny, and mendacious charges from that quarter, and we are quite sure that public opinion will take the just measure of the men who resort to these weapons. But, for the honour of public life in England, it is to be deplored that Mr. Gladstone as well as Sir William Harcourt entered into a competition with the foul-mouthed oratory of their present allies below the gangway. Still more scandalous is it that Mr. Morley should dare to accuse this journal of the 'deepest infamy' on the unsupported testimony, which he has taken no pains to sift, of one of his reckless Irish allies. The stuff which is held to be good enough to furnish forth the speeches of these statesmen with their facts, their arguments, their taunts, and their calumnies would not be listened to by any decent people if it were bawled about the streets by the sort of people who obtain a hearing because they are Members of the House of Commons."

MR. LABOUCHERE: I have asked, Sir, the Clerk to read the whole passage, in order that the House may have an opportunity of seeing what it is. It

is, however, upon the following three points that I rely in making the Motion with which I propose to end my observations:—First—

"This, and other groundless accusations, have afforded Mr. Parnell, Mr. T. Healy, Mr. Sexton, Mr. T. P. O'Connor, and the rest, the opportunity to pour out a flood of blackguardism."

That is an accusation that the Gentlemen named did yesterday pour out in their speeches a flood of blackguardism. The second passage upon which I rely is this—

"We are completely indifferent to abuse, calumny, and mendacious charges from that quarter."

That is a charge by innuendo of mendacity against hon. Gentlemen on this side of the House. The third passage on which I rely is this—

"For the honour of public life in England, it is to be deplored that Mr. Gladstone, as well as Sir William Harcourt, entered into a competition with the foul-mouthed oratory of their present allies below the gangway."

That is to say, that Mr. Gladstone, Sir William Harcourt, and others, were foul-mouthed in their observations last night. Now, Sir, in 1733, the House of Commons passed, *nemine contradicente*, the following Resolution:—

"That the assaulting, or insulting, or menacing any Member of this House in his coming to, or going from the House, or upon the account of his behaviour in Parliament, is a high infringement of the Privileges of this House, a most outrageous and dangerous violation of the rights of Parliament, and a high crime and misdemeanour."

Now, I think there is no one here who will contend that the article in *The Times* is not insulting to certain Members of this House. Sir Erskine May, at page 100 of his book on *Parliamentary Practice* points out that—

"Libels upon Members have also been constantly punished; but to constitute a breach of Privilege, they must concern the character or conduct of Members in that capacity."

No one will deny that these charges and allegations in *The Times* article concern the character and conduct of Members in that capacity. I do not wish, for a moment, to enter into whether these charges and allegations are true or false. This is not the moment for it. These charges are libellous. There can be no question of that, for to constitute a libel, it does not depend upon whether it is true or false. If a libel is true, it may be justified by the assertion that it is true, but it remains a libel, nevertheless. These charges are essentially libellous in their character, and I cannot help thinking that this House ought to take notice of them. The words are strong. I notice sometimes that words used in newspapers are strong. But really there ought to be some limit even in the language which is permitted to that most sacred gospel of the Conservative Party—*The Times*. I beg to move, Sir, that the newspaper referred to, in its issue of this morning, has been guilty of a breach of the Privileges of this House.

Motion made, and Question proposed,

"That the 'Times' newspaper, in its issue of this morning, has been guilty of a breach of the privileges of this House."—(*Mr. Labouchere.*)

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I am sorry to say this is not the first time that cases of Breach of Privilege with regard to articles appearing in newspapers have been brought before the House of Commons. There are several precedents to guide us in this matter. I would mention them to the House, and, with the same brevity exercised by the hon. Member for Northampton (Mr. Labouchere), I will point out how the House dealt with these cases without going into details, but making a mere general statement. There can, of course, be no doubt that a Breach of Privilege has been committed by the article in question. There is no reason for denying or mitigating the fact. No doubt, of late, some very strong language has been used with regard to *The Times* in this House under the protection of Privilege; but that would not, of course, affect the question whether a Breach of Privilege has been committed. But on previous occasions, when a Breach of Privilege has been committed—

MR. LABOUCHERE: As a question of Order, would it not be more proper for the right hon. Gentleman to reserve these observations for the second Motion I shall make when this has been carried?

MR. GOSCHEN: No; because the precedents which I will mention to the House will show that in these cases the House did not accept the Motion that a Breach of Privilege had been committed, and passed to the next Business of the day. I am sure the right hon. Gentle-

man the Member for Mid Lothian (Mr. W. E. Gladstone) will remember the cases, and I know that he has often advised the House to be extremely careful in this matter of proceeding against newspapers, and has used his influence in having such Motions as this either withdrawn or indirectly negatived by the acceptance of a Motion to proceed to the next Business of the Day. There are two comparatively recent cases which I have been able to look up in the few available moments I have had. On the 15th April, 1878, Mr. O'Donnell moved that an article in *The Globe* newspaper was a breach of the Privileges of the House. An Amendment was proposed to pass to the next Business on the Paper, and that was carried without a Division. On the 23rd February, 1880, Mr. O'Donnell brought forward a similar Motion in regard to articles in *The World*, *Morning Advertiser*, *Daily Telegraph*, and *Pall Mall Gazette*. Sir Stafford Northcote moved an Amendment, which was seconded by the noble Lord the Member for Rossendale (the Marquess of Hartington), to pass to the Orders of the Day, and that was accepted and carried without a Division. I think the House will feel the extreme delicacy of proceeding in these matters, and I would submit that, while we cannot deny that a Breach of Privilege has been committed, we should follow these two precedents and proceed to the Order of the Day. [*Cries of* "Move!"] Well, I do not move. It is for the House to decide, and I should like to know the opinion of the right hon. Gentleman the Member for Mid Lothian, who will, I feel sure, deal with this matter with entire impartiality. [*Cries of* "Move!"]

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Do I understand that the right hon. Gentleman does not move?

MR. GOSCHEN: As a matter of fact, I did not move; but I beg now to move, Sir, "That the House do now proceed to the Business of the day."

MR. W. E. GLADSTONE: I rise to second that Motion. I think that we should proceed in these matters with great reluctance, and if my hon. Friend had consulted me, I should have ventured to dissuade him from taking the course he has. The precedents which have been mentioned by the right hon. Gentleman appear to me to be founded on a rule of prudence. Breach of Privilege is a very wide net, and it would be very undesirable that notice should be taken in this House of all cases in which hon. Members are unfairly criticized. Breach of Privilege is not exactly to be defined. It is rather to be held in the air to be exercised on proper occasions when, in the opinion of the House, a fit case for its exercise occurs. To put this weapon unduly in force is to invite a combat upon unequal terms wheresoever and by whomsoever carried on. Though, in the present case, my opinion of the language in the article now brought under the attention of the House is not very different from that of my hon. Friend, I do not think there is any duty or policy which should induce us to treat it as an exception to the general rule of prudence acted upon in former cases. My hon. Friend referred to the Resolution passed by this House in 1733. I say quite frankly that I am not prepared to be bound by the usage of the House on matters of Privilege in 1733. The right of the nation to know the proceedings of Parliament was not then recognized. Now that right is established, and opinions are therefore naturally formed in regard to these proceedings. Indeed, it is absolutely necessary that there should be freedom of comment. That freedom of comment may, of course, be occasionally abused; but I do not think it is becoming the dignity of the House to notice that abuse of it. It is infinitely better and more dignified in this House to stand on the general reasonableness of its proceedings if we can, and if we have not that basis of reasonableness, we have no basis at all. I would therefore say that in accordance with the precedents that have been mentioned, and not only as a matter of precedent, but upon general grounds, we would do well to take no notice of this subject. I am, it appears, one of the persons honoured by reference to the observations I yesterday submitted to the House; but I am quite ready to second the Motion of the right hon. Gentleman, and I would also venture to respectfully request my hon. Friend not to press the Motion which he has made.

MR. LABOUCHERE: I do not think it was quite fair of the Chancellor of the Exchequer to appeal to the right hon. Gentleman the Member for Mid Lothian

as a Gentleman having a perfectly impartial and independent mind upon this subject; for the right hon. Gentleman is himself accused in this article, and, under those circumstances, he has got up not with an impartial mind, but with a desire to return good for evil. The right hon. Gentleman is one of those who are termed "foul mouthed" by *The Times*. He has urged me not to press this Motion. I will not press it under the circumstances; but I will just point out that in my researches into antiquity, I find that the punishment for the offence which has been committed is branding, flogging, and being put in pillory one and all. I hope that Mr. Walter and his friends will henceforth abate the coarseness of their language towards the right hon. Gentleman, when they find that it is owing to his intervention that they are not punished as they deserved to be by this House.

Amendment proposed,

"To leave out from the word 'that,' to the end of the Question, in order to add the words 'the House do pass to the Public Business of the Day.'"—(*Mr. Chancellor of the Exchequer.*")

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. SEXTON (Belfast, W.): Before the Motion is withdrawn I desire to offer a few words to the House. As for the references of *The Times* to myself, I do not care what it says, and I should not have thought of troubling the House on this occasion, for I regard its utterances with immeasurable contempt. In the second place, I know well, from experience, that the proceedings of Irish Members in this House are regarded by a considerable section of the House as fair matter for scurrilous attacks by any blackguard of the Press. Irish Members, of whom I am one, are accused of blackguardism in the performance of their duties in this House. I only wish to say that whatever they have said and done has been under the notice and control of either Mr. Speaker or the Chairman of Ways and Means. I do not know that I have come much into conflict with the Chair; but I do remember that on one occasion when I was forced to call an hon. Member a liar to his face, you, Mr. Speaker, having regard to the provocation I received, did not consider that I exceeded the limits of my right. The article read at the Table declares that the conduct of the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) is scandalous, because he said that the conduct of *The Times* had been infamous. Now, what were the facts of the case? My hon. Friend the Member for North Wexford (Mr. J. E. Redmond), on the day after the Phœnix Park murders, addressed a public meeting at Manchester. He put himself in communication with the police, and learned that the rumour of Lord Spencer's assassination was false, but that, as regarded Lord Frederick Cavendish, it was true. He therefore referred to the murder of Lord Frederick Cavendish only, because he knew of no other murder. On the following day, *The Times* commented upon the fact that my hon. Friend did not refer to the murder of Mr. Burke, and conveyed in the plainest terms that, if he did not actually approve of the murder, he was willing to condone it. My hon. Friend wrote a letter to *The Times* explaining the matter; but *The Times*, from that day to this, has refused to print that letter. The hon. Member subsequently repeated his explanation in a speech in this House; but *The Times*, in reporting his speech, cut out the passages explaining the matter.

MR. SPEAKER: I must remind the hon. Member that the House is now considering the subject of Privilege in connection with *The Times* article of this day.

MR. SEXTON: *The Times* article of to-day accuses the right hon. Member for Newcastle-upon-Tyne of scandalous conduct in charging it with the deepest infamy on the unsupported testimony, which he had taken no pains to verify, of his reckless Irish allies. I am endeavouring to show that the conduct of the right hon. Gentleman was not scandalous, but was justifiable. I maintain that the statements of the right hon. Gentleman did not rest on unsupported testimony, but were proved by notorious facts. *The Times* refused to insert the letter of my hon. Friend, and, as I have said, cut out of his speech in this House his explanation in reference to the matter. Will it be observed that that speech having been delivered in May, 1882, and my hon. Friend having written a letter to *The Times* to explain the whole matter, the hon. and learned Attorney

General the other day, in the case of "O'Donnell *v.* Walter," absolutely drew the attention of the jury to the passage contained in *The Times* in which it attacked my hon. Friend. I hold in my hand the third and revised edition of *Parnellism and Crime*, and let me turn to one passage there relating to the conduct of my hon. Friend.

MR. SPEAKER: That is not the question before the House. The question is whether the words in *The Times'* issue of this day constitute a Breach of Privilege. The hon. Member is not entitled to go back to former articles, because the question is simply whether the words contained in the article to-day constitute a breach of the Privileges of this House.

MR. SEXTON: Surely, the word scandalous applied to the right hon. Member for Newcastle-upon-Tyne is a Breach of Privilege. I was endeavouring to show that the right hon. Gentleman had not spoken on unsupported testimony.

MR. SYDNEY GEDGE (Stockport): I rise to Order. I submit, that the words in *The Times* being admitted to be a Breach of Privilege, it is immaterial whether they are justified by the facts or not, and, therefore, it is out of Order for the hon. Member to discuss them and endeavour to prove that they are not in accordance with the facts.

MR. JOHN MORLEY (Newcastle-upon-Tyne): As you, Sir, were not in the Chair yesterday afternoon, I may perhaps be allowed to say that the hon. Member for West Belfast (Mr. Sexton) was referring to what took place in Committee, and to the speech made by my hon. and learnen Friend the Member for North Wexford. I submit that the hon. Member was entitled to show that the remark which he thought it his duty to make was justified.

MR. SPEAKER: The truth of this matter has nothing to do with the question whether the language of *The Times* was proper to be used towards Members of the House, and whether the use of improper language constitutes a Breach of Privilege. The truth and justice of the language used is not the question before the House.

MR. ROBERTSON (Dundee): Is not the question before the House the propriety of proceeding to the Business of the day?

MR. SEXTON: The libel upon my hon. and learned Friend was inserted in *The Times* on the 8th of May, 1882—

> "On the 7th," said *The Times*, "Mr. J. Redmond spoke at Manchester. He condemned the murder of Lord Frederick Cavendish; but it is significant that he made no reference to the murder of Mr. Burke."

It is enough for me to say that the hon. and learned Attorney General read the remarks to the jury on the conduct of Mr. Redmond without any explanation. But we despise insinuations proceeding from the paymasters and accomplices of forgers. I will not detain the House further with the infamous suggestion directed against my hon. Friend six years ago, the explanation of which has been suppressed, but I will only ask who were the blackguards?

MR. J. E. REDMOND (Wexford, N.): I wish, Sir, to claim your indulgence and the indulgence of the House while I speak one or two sentences in reference to a matter which affects me personally. I hold now, in my hand, the proof of the statement which I made yesterday. Yesterday I stated the circumstances under which I made the speech to a public meeting at Manchester, and I said that *The Times* had publicly accused me of sympathizing with the murder of Mr. Burke, because in that speech I did not mention his name. [*Cries of* "Question!"] If you tell me it is not the Question, I will sit down, and I will ask leave to make a personal explanation. I made that statement yesterday; but I find that the statement I made went further than the fact. What *The Times* did was this, it made the statement the next day that I had made no reference whatever to the murder of Mr. Burke. A couple of days afterwards the hon. Member for Derry City (Mr. Justin M'Carthy) told me that comment had been made by Members of the House on my silence in presence of that implied charge. In answer to the appeal of the hon. Member for Derry City, I wrote a letter to *The Times*, stating that I had no more idea than the child unborn, at the time I made the speech, that Mr. Burke had, unfortunately, been murdered. *The Times* did not publish that letter. On May 18, 1882, I alluded to the subject in the House, as reported in *Hansard*. I said—

"That it was difficult for the Irish Members to insure the proper representation of their words and actions before the public might be seen from the fact that for his speech at Manchester, immediately after the lamentable outrage in the Phœnix Park, he had been attacked in the London Press for having mentioned Lord Frederick Cavendish and omitted Mr. Burke, notwithstanding the fact that at the time of the delivery of the speech he was unaware that Mr. Burke had been assassinated. A letter which he wrote to *The Times* newspaper explaining this was not inserted in that journal, although it was one of the London papers that took the matter up."—(3 *Hansard*, [269] 998.)

The Times omitted the whole of that passage from the report of my speech. The matter had then passed from my memory until the early part of last year, until the articles entitled *Parnellism and Crime* appeared, when I found the statement in them—

"The same day"—

that is the day after the murder—

"Mr. J. E. Redmond spoke at Manchester. He, too, condemned the Chief Secretary's murder. But it is a point of high significance, noted at the time, that at this meeting no reference whatever was made to the murder of Mr. Burke."

These words are quoted from *The Times* of May 8, 1882. In a subsequent page of the same pamphlet is this passage—

"Mr. Finarty headed the demonstration at Turner Hall. The latter had recently expressed his sorrow that the London explosions were not more successful. He now threw his side light on the murders in the Phœnix Park. He (Lord Frederick Cavendish) died because he was in bad company—was with Thomas H. Burke, the Fouche of Ireland. The day after the murders, Mr. J. E. Redmond, M.P., deplored as we have seen, the Chief Secretary's end. He, too, said nothing as regarded Burke."

When I read these articles in *Parnellism and Crime*, I wrote a letter to a London journal, stating the facts and challenging *The Times* to explain why they had publisned this calumnious statement. That letter duly appeared on the 15th of March, and then *The Times* replied in a way that was little else than saying that I was telling a lie. They said that—

"Mr. J. E. Redmond's so-called explanation of his silence about the murder of Mr. Burke was merely an assertion that on Sunday afternoon in Manchester, he knew nothing of the double nature of the crime committed on Saturday night with which the whole country was ringing. Such an assertion hardly required comment."

This is the end of my miserable story, miserable for everybody concerned except me. The hon. and learned Attorney General, I am sure, knowing nothing of my explanation, and acting on instructions, insisted after contention with Mr. Ruegg, the counsel for Mr. O'Donnell, in putting before the jury the whole of these scandalous imputations upon me. With regard to the remarks of the right hon. Member for Newcastle-upon-Tyne, who has been foully assailed because it is said he accepted my statement without sifting it, the right hon. Gentleman did nothing of the kind. What the right hon. Gentleman said yesterday was—that if my statements were true, they covered *The Times* with infamy; but he went on to say that probably I might have omitted something in my statement. If I did omit anything in that statement, I have tried to supply the omission. I have nothing further to say than that I hope the right hon. Gentleman will now be satisfied by the proofs that I have given, and the statements I have made, of the truth of the statements I have made day by day with dates, and chapter, and verse, and I am sure that the public will not be slow to draw the right inference with regard to the repeated accusations which have been made against me by *The Times*, after the conductors of that paper knew them to be false, nor will they be slow to sympathize with the hon. and learned Attorney General at having found himself, as counsel for *The Times*, in the position of repeating against me the calumnies which those who instructed him knew to be false.

MR. JOHN MORLEY: After hearing what my hon. and learned Friend has said, I am, as he supposed I should be, entirely and fully satisfied, and now I am in a position to alter what I said yesterday. What I said yesterday was—and it is not worth while in this case to notice remarks in editorial articles—with regard to the conduct of *The Times* strictly conditional. Four times in the course of my remarks I said—"If this is proved, *The Times* has been guilty of the deepest infamy." I have heard the speech of my hon. and learned Friend, and I now withdraw that qualification, and say that *The Times* has been guilty of the deepest infamy.

MR. T. M. HEALY (Longford, N.): While I think that the House is justified in taking no further notice of this matter, and while I fully endorse the action of the right hon. Member for Mid Lothian, I think that the House has some reason to complain that the

reports in *Hansard's Debates* are largely taken from *The Times*, which we now know in every case in reporting the speeches of Irish Members acts like a literary Thug.

MR. SPEAKER: Do I understand the hon. Member for Northampton to withdraw his Motion?

MR. LABOUCHERE: Yes, Sir; I ask the leave of the House to withdraw the Motion.

MR. T. P. O'CONNOR (Liverpool, Scotland): On this side of the House, it was expected that the hon. and learned Attorney General would take the opportunity which has been offered him of withdrawing a statement which he must now know was a calumny, and which he could not justify. [*Cries of* "Answer!"]

Amendment, by leave, *withdrawn.*

MR. SPEAKER: Does the hon. Member now withdraw the Motion?

MR. LABOUCHERE: Yes.

Motion, by leave, *withdrawn.*

MOTIONS.

—o—

SITTINGS OF THE HOUSE, EXEMPTION FROM THE STANDING ORDER. RESOLUTION.

Motion made, and Question proposed,

"That the proceedings on the Members of Parliament (Charges and Allegations) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order 'Sittings of the House.'"—(*Mr. Chancellor of the Exchequer.*)

DR. CLARK (Caithness) said, he rose to a point of Order. He wished to know whether the right hon. Gentleman the Chancellor of the Exchequer was in Order in moving a Motion which stood upon the Paper in the name of the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith), who was then present in the House?

MR. SPEAKER: It is competent to the Chancellor of the Exchequer to make the Motion which stands on the Paper in the name of the First Lord of the Treasury.

Motion *agreed to.*

BUSINESS OF THE HOUSE—PROCEDURE ON THE MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.—RESOLUTION.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): In rising to move the Motion which stands upon the Paper in the name of my right hon. Friend the First Lord of the Treasury, and Notice of which I gave on his behalf yesterday afternoon, I think I shall best consult the convenience of the House by confining myself strictly to making the Motion. We have now been engaged for three days—Monday, Tuesday, and Wednesday—upon the Committee of this Bill, and the whole of yesterday afternoon was occupied in discussing one Amendment, which was, no doubt, an important Amendment. In making this Motion, I am anxious not to say anything that will lead to controversy. I think that during the time at our disposal between the present hour and 1 o'clock in the morning, we shall be in a position to deal with the remaining Amendments to the Bill which have been placed upon the Paper, especially in view of the fact that the hon. Member for Cork (Mr. Parnell) has stated that the most essential parts of the measure have already been disposed of. There are, no doubt, some Amendments of some importance upon the Paper; but I believe that they can receive full and adequate discussion between now and 1 o'clock. I beg to move the Resolution I have referred to.

Motion made, and Question proposed

"That at One o'clock a.m. on Friday 3rd August, if the Members of Parliament (Charges and Allegations) Bill be not previously reported from the Committee of the whole House, the Chairman shall put forwith the Question, or Questions, on any Amendment or Motion already proposed from the Chair. He shall next proceed and successively put forthwith the Questions, That any Clause then under Consideration, and each remaining Clause in the Bill, stand part of the Bill. After the Clauses are disposed of he shall forthwith report the Bill, as amended, to the House. From and after the passing of this Order no Motion, That the Chairman do leave the Chair, or do report Progress, shall be allowed."—(*Mr. Chancellor of the Exchequer.*)

MR. T. P. O'CONNOR (Liverpool, Scotland) said, that the conduct of the Government in proposing this Resolution was in accordance with their general conduct in reference to this Bill. The Resolution amounted to a decree that the greater part of this most important Bill should be passed without any discussion whatever. The Chancellor of the Exchequer was at fault with regard to the statement of the

hon. Member for Cork, which he said amounted to an admission that the most essential portions of this Bill had been disposed of. To that assertion he gave the most unqualified contradiction. Neither directly nor by inference did the hon. Member for Cork make such a preposterous statement. There were many parts of the Bill remaining to be discussed which were of the greatest importance. The earlier part of the Bill had given rise to a prolonged and animated debate, and the remainder of the Bill would give rise to an equally prolonged and animated debate. The object of the Motion was to put the Bill through the House by force, and he might almost say by physical violence. The right hon. Gentleman might almost as well adopt the policy of Cromwell, and turn all the Irish Members out of the House. He protested against this Motion as being an act of brute force and brute violence on the part of the Government. He begged to call the attention of the House to the manner in which the Government had put forward this Motion. Why had the discussion upon the Bill been prolonged? As had been stated yesterday, if the Bill had been in the form in which the Government had promised they would introduce it—if the Government had been true to their own pledges and promises, the Committee upon the Bill need not have occupied more than two hours; it would have gone through Committee with as little friction as that with which it had gone through its second reading. The discussion in Committee had been so prolonged because the Government had promised them one Bill and had given them another. The Government had promised the Irish Members an opportunity of clearing their characters from certain foul charges and aspersions, and they had now taken from them the opportunity of doing so. These charges against Irish Members had been circulated in the form of pamphlets by the First Lord of the Treasury by the million, and they had been repeated by the highest Law Officer of the Crown, and there was scarcely a single occupant of the Benches opposite who had not gone down to his constituency and had promulgated the same calumnies. It had been said by hon. Gentlemen opposite and by the Attorney General that those charges were of the gravest and most serious character ever brought against a body of men. Yet, when they were charged with murder and complicity with murder, when those charges had been repeated all over the country, when they had been made the stock-in-trade of their political opponents, and after they had been promised an opportunity of meeting those charges, the Government shuffled from their promise, and offered an inquiry into an organization and political movement. Such proceedings as these could not be too strongly condemned by any impartial Member. Hon. Members from Ireland accepted this Bill on the pledge of the Government that it should give them an opportunity of meeting definite charges made against them or against persons intimately associated with them. That promise had been departed from. He did not wish to anticipate the action of his hon. Friends; but he thought it would be their duty to take no notice whatever in their discussion of this Bill of the force and violence practised upon them by the Government. For his part, he should discuss every Amendment brought before the Committee with just as much advocacy as it deserved, in utter disregard of the limit of time imposed upon them by the violence and force of the Government. He did not know what the result might be; but certainly several parts of the Bill would go through the Committee undiscussed. It might be that the Committee would not reach the important Amendment as to whether the letters should or should not be singled out and set forth as demanding inquiry by the Commission. In these circumstances the Commission might be asked to do everything but the right thing. He cast the responsibility on the Government, and he thought hon. Members by-and-bye would be able to adequately appreciate the justice and fair play of the political foe who first uttered foul charges and then ran away from the chance of having them investigated and examined.

MR. R. T. REID (Dumfries, &c.) said, he could not be surprised at the Government taking this course. The Government had departed from the old custom of the House of having any regard to the opinions of the minority. The time

might come, the time would come, when hon. Members opposite would be in a minority. Then he trusted that those who were in the majority would show more consideration than was being shown at present. At the end of this Bill there was a clause which might not come up for discussion at all on account of the limitation of time. It was the clause having the effect of saving *The Times* harmless from any action. The Committee would not have an opportunity of discussing that clause. The Bill would probably be forced through by the Government without the discussion of a clause which would prevent hon. Members from Ireland from ever bringing an action against *The Times* for the clearance of their character, which would save *The Times* harmless from the consequences of uttering what, if untrue, were about the most foul and deliberate libels ever uttered.

MR. T. M. HEALY (Longford, N.) said, he must congratulate the Government on having moved this Motion. Last year he went to the manager of *Hansard* and asked him to put in the Index of *Hansard* the number of times the closure was moved. That would form for future purposes a valuable series of precedents, but he was bound to say that no precedent of so great value had been set as in the Motion now before the House. There was, of course, a precedent for the course taken last year on the Coercion Bill, where the Government were able to say that the lives and liberties of millions of people were dependent on the passing of coercive legislation in the interests of law and order. But now for the first time with regard to ordinary legislation the Government created this important and, as he conceived, most precious precedent, and that with regard to a Bill which a fortnight ago the Government declared to be of so little importance that a negative reply from the hon. Member for Cork would be sufficient to induce them to withdraw it. Hon. members would find in *Hansard* under the letter "P" a record of all the closure Motions. He presumed the present Motion would be passed with the aid of the closure; but he conceived that nothing could be of higher value for a future Parliament of England than that after three night's discussion a Minister should come down to the House and propose with regard to a measure of the most important and far-reaching character a Motion of this kind. He congratulated hon. Gentlemen opposite. They were sharpening a most valuable tool which by-and-bye would be placed at their own throats. Such a Motion as that proposed amounted, in his opinion, to nothing less than a direct censure on the Chairman of Ways and Means. In the first place, it took no note of the character of the Amendments. Some Amendments necessarily must be of less importance than others. The hon. and learned Member for Dumfries (Mr. R. T. Reid) had suggested an Amendment of the most far-reaching importance with regard to the protection proposed to be given to *The Times*. There were Amendments compelling the putting in the forefront the letter of the hon. Member for Cork, and as to the place where the Commission should sit; there were Amendments of the most natural and most reasonable kind as to the circumstances in which the libels were published and were to be vindicated. All these Amendments the Government included in one common catalogue of ruin at 1 a.m., although it was in the power of hon. Members opposite with regard to any Amendment they thought trivial to rise and move, if the Government had refused it, that that Amendment be now put. It was right that the country should understand that hon. Members were moving those Amendments with all the power at the disposal of the Government which the closure gave—a closure which had been applied with ruthlessness and recklessness. Those hon. and right hon. Gentlemen who in 1882 spent 20 nights discussing the closure never had it applied to them by the right hon. Member for Mid Lothian (Mr. W. E. Gladstone). The Government, however, obtained the closure, and in one year after they got it they applied it 100 times; then they reduced the majority from 200 to 100; and now, having got a closure which they could put by a bare majority, they were not satisfied with that. Because a dignified and impartial officer of the House, a Member of the Government Party—the Chairman of Ways and Means—entertained views as to what was fair and what was impartial, as to the importance of Amendments, as to their relative position, and as to whether time ought fairly to be allowed for their

discussion, he received, so to speak, a Ministerial kick, a Ministerial slap in the face, by the mover of this Motion. There was to be an Autumn Session. What was the necessity for an Autumn Session? Were there more important Bills before the House than this? He saw on the Orders for that evening a whole series of Bills for which there was to be an Autumn Session. He did not see why he should not move that the same treatment be accorded to the Burgh Police and Health (Scotland) Bill, the Court of Session and Bill Chamber (Scotland) (Clerks) Bill, the Tithe-rent Charge Recovery and Variation Bill, Presumption of Life (Scotland) Bill, East India Officers Bill, Public Works Loan Bill, and the Bann Drainage Bill. This would be a means whereby hon. Gentlemen opposite who intended to shoot grouse, might not only shoot in peace long before the present sitting was likely to end, but they would save themselves from the Autumn Session as well. He was really astonished at the moderation of hon. Gentlemen. He was greatly afraid, however, that at some future day they might be succeeded by Gentlemen not quite so moderate or so Constitutional. He regarded this Motion as another sad proof of the fact that English Members in regard to Irish Members were prepared to treat them in exactly the same spirit as when the Red Indian danced round his victim at the stake. There was not an hon. Gentleman opposite who would not "bolt" any proposal that the Government made if they thought they could thereby prejudice the Irish Party. What should he say of hon. Gentlemen professing Unionist principles? They might not like this proceeding, but they could not dissent from it. The noble Lord the Member for Rossendale (the Marquess of Hartington) might not like this proceeding, but, like the man in mediæval stories who had sold his soul to the Evil One for any temporary advantage, he was bound to carry out to the full the indenture he had signed with his blood. The Government were quite safe at any time in making any proposal they pleased, well knowing that they could whip the Unionists at the cart's tail after them. Hon. Gentlemen of the Unionist Party might get up and say they approved of that proceeding of the Government. They might say so, but they could not say anything else; and he should retain in respect to that his own liberty of appreciation. He trusted that the country would see what the consequences were of the present alliance of Her Majesty's Government. If the Liberal Party were in power the Tory Party would join the Irish Members in making high-flying protests against action such as that. But the Ministerialists, reinforced by the Liberal Unionist Party, were enabled and encouraged to do things which the Tory Party, had it twice its own strength, would not dare to do. The Government did not despise the right hon. Member for West Birmingham (Mr. J. Chamberlain), but they had his weight to an ounce. The Government knew that the declarations made by that right hon. Member in favour of limiting that inquiry were purely platonic, and that when they proposed to put on the closure they could rely on his solid avoirdupois in the Division Lobby. In order to test the amount of trust which the Government and the Liberal Unionists placed in the impartiality of the Chairman of Ways and Means, he would suggest that in the present Motion the qualifying words should be inserted, "If the Chairman of Ways and Means sees fit." He submitted that that would be a proper Amendment to the Motion. Then, in regard to the Amendment of the hon. and learned Member for Dumfries dealing with the question, if *The Times* was proved to be a forger, as they now knew it to be a liar— [*A laugh.*] The hon. Baronet the Member for North Antrim (Sir Charles Lewis) laughed at a statement of that kind. Why did the hon. Baronet not go into the witness-box when charges of corrupt practices were made against him at Derry, and——

MR. SPEAKER, interposing, said, that the hon. and learned Gentleman was not speaking in any sense to the Question.

MR. T. M. HEALY said, that was because he was interrupted by the laughter of the hon. Baronet. He held that the Chairman of Ways and Means should be enabled to show his appreciation of the relative importance of the Amendments proposed to the Bill, and to allow such adequate time for their discussion as he deemed fit. The Chairman was himself once a writer in *The Times*, and therefore his impartiality could not be contested by the opponents

of the Irish Party. The Irish Members, and certainly he, speaking for himself, who sometimes incurred his censure, cordially, nevertheless, acknowledged the impartiality of the Chairman—though in saying that he did not desire to fetter himself for future comment—and he thought that, in regard to a Gentleman of such high position as the Chairman, it would be only proper that the Government should show some semblance of respect for the decencies of the situation by accepting the suggestion which he now had the honour to make, and which he hoped that some other hon. Member would move as an Amendment. Then he would ask why the words "1 a.m." should be retained in the Motion. Let them substitute "1 p.m." and give more time for discussion. He asked hon. Gentlemen opposite, who in their private relations were, no doubt, men of honour, and even of tenderness, why in a matter of such grave importance they should treat the Irish Members in that manner? Let them assume if they liked that they were all guilty of murder and a thousand other crimes, and he asked whether the eminent lawyers sitting opposite would abridge the trial of a prisoner by declaring that at 1 o'clock the jury must find a verdict against him. Was it, then, reasonable to put the whole Bill at a given hour?

MR. BRADLAUGH (Northampton) said, he was not quite sure how far the Motion of the right hon. Gentleman followed previous forms, but he was sure that on one occasion, when a similar Motion was carried, the course was essentially different. If the Motion, as he understood it, were carried, before the Amendments to the first clause were finished the Chairman would put the question on any Amendment or Motion already proposed from the Chair, and would proceed immediately afterwards to put the Question that any clause then under consideration and each remaining clause should stand part of the Bill. The effect of that would be that the Committee would be unable to pronounce any judgment whatever on any one of the questions that were raised by the other Amendments. That was a most monstrous proposition. He would suggest to the Government that they would not save much time by it, because he would feel it his duty to exhaust every Parliamentary means of getting the decision of the House on the two great legal questions which he would raise. He should again raise the questions involved in his Amendment on the Report stage of the Bill. The precedent to be made by the Government was dangerous and might be utterly disastrous, and it justified him in charging the Government with degrading Parliament. He remembered an occasion on which the Opposition went out of the House on a Closure Division; but he remained in his place while the Speaker went carefull through all the Amendments on the Paper to the Bill then being considerd, calling upon each Member in turn to move his Amendment. It was possible, therefore, to have taken the verdict of the House on every Amendment, whether it was debated or not. Without using any menace or threat, he would warn the Government that they were making a dangerous precedent, which might be abused in a time of political strain by an accidental majority. What would the Ministerial Party say if they were then gagged as they would now gag the Opposition? His Amendment was on a question which had been carefully guarded by the Courts in every fashion, and the Government now proposed to set it aside for the first time in our history by giving opportunity for the investigation of murder charges in foreign part. The Government said that the Question was not even to be submitted to the judgment of the House, and that would, of course, involve an appeal from the judgment of the Government to that of the country.

SIR WILLIAM HARCOURT (Derby) said, it seemed to him that this Motion was one that was made absolutely without any justification whatever. They were discussing a measure that was admittedly of a novel and exceptional character, a measure which most seriously affected the character, reputation, and position of a number of Members of that House, and it claimed to be the foundation for a Commission which was to inquire into, he would not say "political" organizations, but organizations. It had a very wide scope, and was intended to inquire into every species of crime, and if ever there was a measure in which the justice and dignity of Parliament required that there should be full and adequate discussion, it was this Bill. It

could not be said that any of the important Amendments upon it had been discussed at exorbitant length. It had always been in the power of the Government to move the closure, and they had tried to do so once, but the Chairman of Committees had determined against them. Therefore it could not be said that discussion hitherto had been unduly protracted. There were upon the Paper not a great number of Amendments, but some of them of importance, and it was monstrous to say that they could be amply discussed in the six or seven hours of that evening. The next Amendment raised a question whether the alleged forgery of letters should be one of the first issues; and the hon. Member for Northampton (Mr. Bradlaugh) had one important Amendment as to sending Commissions abroad in criminal cases, a thing never heard of before. The last was a subject of the deepest importance and deserving of the fullest discussion. The ground for this Motion was not that there had been exhaustive discussion, but it was that the Government did not like the further discussion of the Bill. Up to the present the discussion had not been favourable to their conduct in reference to this measure; they were well aware that, whatever their majority might be in that House—and already their normal majority had been reduced by one-half—the effect of the discussion of the measure was not favourable to them in the country, and therefore they were determined they would have no more of it. They would therefore use their majority to stifle discussion. He protested against such conduct in the name of fair play and justice, which had not been the guiding principle of the Government in the prosecution of this measure. If discussion were unduly prolonged, if trivial and unimportant Amendments were proposed, the remedy of the closure was in the hands of the Government, and would be applied by the Chairman. But the Government were determined there should not be another day's discussion on the subject, and so they would sweep the Bill through by suspending the ordinary Parliamentary procedure. They might do it by their Party majority, but they would only throw additional discredit upon the measure, and make it the more obvious that they were actuated by political motives and used their majority to gag political opponents.

MR. STAVELEY HILL (Staffordshire, Kingswinford) said, he for one felt a very strong objection to this Resolution. He had always said that the closure should only be applied in very exceptional cases, and he felt it ought not to be applied in this sweeping way in the case of a Bill of an absolutely novel character. The Bill was absolutely novel and without precedent, and it was sought to carry it by a procedure which in itself was also novel, and which he hoped would never be repeated. He wished to ask the Government whether they were to understand that when the clock struck one, and the Question then before the Committee had been disposed of, either by Division or otherwise, all the other clauses were to be passed without any opportunity of in any way amending a single word of them? More than one Amendment was required without which the Bill could not be worked properly; were they then to allow the measure to go through the House with these manifest imperfections in it simply because it was necessary to pass it hastily through the House?

MR. FINLAY (Inverness, &c.) said, that if the Government desired, as the right hon. Gentleman the Member for Derby (Sir William Harcourt) had suggested, to make Party capital out of the Bill, they could desire nothing more than that such discussion as had gone on during the last two nights should be prolonged indefinitely. So far as Party warfare was concerned, the more speeches the right hon. Gentleman made such as he had been making during the last three days the better. But the Government had to consider something else—they had to consider the Business of the country. The prolonged discussion that had already taken place upon the measure had filled with amazement everyone who was not in the secrets of the opposition to the Bill. There was one practical observation that he ventured to make. There remained close upon seven hours before 1 o'clock, and he submitted that that time was ample for the discussion of any Amendment of any importance. They had already decided by far the greater number of points of principle that had been raised on the Amendments to the measure, and—with the utmost deference to the right hon. Gentleman the Member for Derby, who had expressed upon this, as he did on every subject, a most con-

fident opinion—he (Mr. Finlay) submitted that the time that remained was ample, if properly utilized, for all the further discussion that was necessary. If, instead of proceeding to Business, speeches such as those to which they had listened continued to be made, he thought both the House and the country would know what to think of it.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton) said, it was an astonishing thing that a man of the personal courtesy and kindness of his hon. and learned Friend (Mr. Finlay), when he spoke upon this Bill, seemed quite unable to rise in his place without attributing to opponents motives apart from their real motives by 100 miles at least. What was the real cause of the delay that had taken place on this Bill? They had here a deliberative Assembly of 670 Members, very proud of being a deliberative Assembly, and very jealous of their rights as such. It did not require anyone to have been in Parliament as long as his hon. and learned Friend to have noticed that that House never really took pride or pleasure in a Bill all share whatever in the making or moulding of which was denied to the House as a deliberative Assembly. That was the real cause of such delay as had taken place. As far as he knew, there had been no discussion on any Amendment which was not of immense importance, and he asked hon. Members to compare the unimportant subjects on the discussion of which they had often spent Wednesdays, and usefully spent them as they believed, with these Amendments, which touched the very liberties of a large number of people. The hon. and learned Member for Inverness seemed to think that the remaining Amendments could be disposed of very rapidly. But what were they? First of all there was the Amendment as to the priority of the letters, and the importance of that priority had been acknowledged in all the impartial speeches which had been made on the other side of the House. There was next the immensely important Amendment on the question whether a Commission should be allowed to be held abroad to inquire into criminal charges. Then there was the Amendment of the hon. and learned Member for North Longford, which would give him and his Friends the right of inspecting documents. There was the Amendment providing that the inquiry should be conducted in the same manner as the trial of a cause in the High Court of Justice. There was the Amendment requiring that the parties should specify their allegations, and there were also several other equally important Amendments, including one which involved the question whether the proceedings before the Commission ought to protect the proprietor of *The Times* from proceedings for libel. This Bill, which was really constituting a Court of High Commission of the greatest importance, charged with matters affecting the reputation of a great number of men, was now being passed through the House of Commons and discussed exactly as if it were another Criminal Law Amendment Bill. That Bill was directed against the liberties of Irishmen, and this Bill was directed against their reputations, and the same process which was used with regard to the passing of the Coercion Bill—the results of which the news from Ireland every week showed to be lamentable and pernicious in the highest degree—that same process was being used to carry this Bill, which would place the reputations of Irishmen at the mercy of their opponents, just as their liberties were at the present moment.

MR. BYRON REED (Bradford, E.) said, that he looked upon the proposal before the House as supplying a very dangerous precedent, and he wished that it had not been found necessary to bring this Resolution forward. But he wished still more that the proceedings in Committee had been conducted in such a way as to warrant Members who thought as he did on that side of the House in giving effect to their general opinion by voting against the Government. Unfortunate as he considered the necessity of this procedure to be, he recognized that the Government had been forced to make the proposal by the manner in which the Bill had been dealt with in Committee during the three days of its discussion. They had only disposed of an infinitesimal number of Amendments, and those Amendments had been contested, he would not say with severity, but with a pertinacity of an almost unwarrantable kind. They had heard what he might describe as the painful loquacity of certain hon. Members opposite, the chief

offenders being the hon. and learned Member for North Longford——

MR. T. M. HEALY: I was not here during two days of the discussions.

MR. BYRON REED said, the hon. and learned Gentleman had made up for his absence on the third occasion. Among others who might be said to have helped by their loquacity to obstruct the progress of the Bill were the hon. Member for West Belfast——

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I do not consider the hon. Member a judge of my conduct in any respect.

MR. BYRON REED said, another hon. Member who might also be regarded as doing much to delay the measure was the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor), and the occupants of the Front Opposition Bench had proved themselves, in the matter of prolix loquaciousness, to be very able backers of their Supporters below the Gangway. The proposal of the Government had been rendered necessary by the deliberate action of the Opposition, and therefore, although unwillingly, he should be compelled to vote for it.

MR. SEXTON said, that the hon. Member opposite who had just sat down had delivered the kind of speech with which the Committee had now become familiar. The hon. Member, like other rising Tories who hoped some day to enjoy the sweets of Office, had made a speech in which he had explained that his feelings and convictions all went one way, and that their votes would go the other. The speech of the hon. and learned Member for Inverness (Mr. Finlay) he (Mr. Sexton) maintained, showed the Motion before the Committee to be in effect a Motion of censure upon the Chairman of Ways and Means. He, as an Irishman, heartily joined in the protest of his hon. and learned Friend against a Motion which, if it meant anything at all, amounted to an indirect and oblique declaration that the Chairman of Ways and Means had not performed his duty, and that for the remainder of the proceedings on the Bill he was not to be trusted. There were still some 40 Amendments on the Paper, and the time left for moving and debating each before one o'clock would be 10 minutes, leaving nothing for divisions. If ever there was a Bill which ought to be freely, fully, and unreservedly debated without the slightest attempt to check the utterance of the humblest Member, this was the Bill. It affected not only the characters of his hon. Friends and himself, but even something more than their very lives, because if this Commission was improperly used, it might inflict upon them a punishment worse than death. Whereas originally it was a Bill "offered" to his Party, it was now, it appeared, to be forced down their throats without debate. That being so, what were they to say with regard to the moral jurisdiction of a tribunal as arbitrary in its nature, as dark in relation to the course of its proceedings as any erected in mediæval ages by any despot of history? Would the Government be willing to accept the Amendments which had been accepted by Walter? Mr. Walter was not only the private familiar but the public instructor of the Government. Every morning showed in his paper an article in which, picking up the Amendments handed in the night before, he informed the Government what Amendments they might accept and what they must reject. He (Mr. Sexton) wanted to know whether the Government would ever give them the small mercy of accepting Amendments which had been accepted by their client? There were three reasons for the Motion. The first was that the Government, in view of the revelations and disclosures of the last few days, were afraid to face further debate lest there might be further disclosures, the suppression of debate being directly with the object of preventing the country, by examination in the House, from arriving at the bottom of the relations between the Government and the managers of *The Times*. The second reason was that the Government dared not allow the Amendments to be debated, because there were Amendments on the Paper which, if presented and debated, the Government could not reject. There was, for example, an Amendment in the name of the right hon Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) providing that the Commission might have power to report from time to time. The object of that Amendment was that if the Commission arrived at the conclusion that the letters had been forged they should report upon that matter, as to which the country

was most anxious, at the earliest convenient moment. The Government dared to evade that Amendment by the present Motion. And the last reason was that the Ministerialists wanted to get away to their rural sports. He would warn them that the working men of this country would come to their own conclusions with regard to a manœuvre which subordinated the character and position of 85 Members of the House and the interests of their constituents to the convenience of two score of Gentlemen who wished to leave their legislative duties and proceed to their sports on the 12th of August.

SIR CHARLES LEWIS (Antrim, N.), in supporting the Motion, said, that though the Bill passed the second reading with the unanimous assent of hon. Gentlemen opposite, yet directly the House got into Committee there was hardly a single provision, hardly a single line, but was met by Amendments. It was soon discovered that hon. Members, while pretending to accept the Bill with tremendous alacrity, really disliked it more and more, and so it was met with the most ruthless opposition at every point. They had been three days in disposing of about five Amendments, and it was not to be forgotten that upon one day, Tuesday, so extreme was the measure of obstruction carried on that upon three separate occasions the Chairman of Committees refused to put Motions for Adjournment and for reporting Progress, because he considered they were an abuse of the process of the House. Surely, that was good *primâ facie* evidence of obstruction. Again, the right hon. Gentleman the Member for Derby (Sir William Harcourt)—who was always telling them there had been no obstruction—spoke no less than four times, repeating over and over again exactly the same arguments. If he went to the lower regions among the Party opposite he could give the House even worse instances. The right hon. Gentlemen the Member for Derby, a Privy Councillor, had indulged in this sort of opposition, and the *francs tireurs* below the Gangway had followed suit. Having regard to the Amendments they had moved, their acceptance of the Bill on the second reading must have been very insincere. The object of hon. Gentlemen below the Gangway seemed all along to be to narrow and destroy the Bill. The Amendments still remaining on the Paper manifested the same purpose. Thus, one proposed that there should be interim reports.

MR. T. P. O'CONNOR rose to Order. He wished to know whether the hon. Member was in order in discussing the Amendments still remaining to be considered?

MR. SPEAKER said, he thought the hon. Baronet was exceeding proper limits in doing so.

SIR CHARLES LEWIS said, he would not continue the subject; but he had only proposed to do what others had done.

MR. T. P. O'CONNOR again rose to Order, and called attention to this, as he alleged, disrespectful remark of the hon. Baronet in calling in question the ruling of the Chair.

MR. SPEAKER said, he was sure the hon. Baronet was not doing anything of the kind. He understood the hon. Baronet to accept his ruling.

SIR CHARLES LEWIS said, he certainly unreservedly accepted Mr. Speaker's ruling. The same arguments had been urged over and over again by hon. Gentlemen opposite, and it was quite clear that their object was to undermine and, if possible, get rid of the Bill.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar) said, the hon. Baronet had tried to make capital out of the fact that the second reading was accepted without a Division. But that was because they believed that the Government were prepared to meet them fairly on several vital points. This impression was strengthened by a speech delivered by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), who was regarded as practically a Member of the Government. The Amendments that had been moved were not frivolous Amendments; but, on the contrary, most important Amendments, which were aimed at bringing the text of the Bill into accordance with the statement of the right hon. Gentleman the First Lord of the Treasury when he introduced the Bill. The Bill was of such magnitude and importance that at least five or six nights should be devoted to the consideration in Committee of the clauses rather than have the Bill in haphazard fashion thrust down their throats. So

far from the Chairman considering the discussion obstructive, he had refused on one occasion to put the closure when moved by the right hon. Gentleman the First Lord of the Treasury. The right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) had boasted that the Government had not changed one comma in this Bill; for his own part, he did not think that it should be a matter of boast to the Government that in a Bill of this nature and importance they had made no endeavour to meet the wishes of the minority in that House.

MR. MAURICE HEALY (Cork) said, he would suggest as a compromise that the decision whether the debate had lasted long enough at 1 o'clock should be left in the hands of the Chairman of Committees. Speech after speech had been made from that side of the House directing the attention of right hon. Gentlemen opposite to particular Amendments which seemed to those on that side to be of considerable importance, and he thought that they might condescend to give some reply, and say whether or not they thought these Amendments ought to be accepted. He begged to move the insertion of the words "If the Chairman so think fit."

Amendment proposed, after the first word "That," to insert the words "if the Chairman so think fit."—(*Mr. Maurice Healy.*)

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) said, he was anxious that this discussion should close, because if this Motion was to be carried the sooner it was carried the better in the interests of that discussion which hon. Gentlemen opposite themselves wished. For that reason the Government had refrained from taking advantage of many tempting opportunities laid before them in this debate, and had listened in silence and with patience even to the attacks of the right hon. Gentleman the Member for Derby. He did not want, therefore, to prolong the debate by one unnecessary sentence. The Government could not accept the Amendment of the hon. Member for Cork (Mr. Maurice Healy). That Amendment would place a responsibility upon the Chairman from which they thought that that Gentleman would certainly and rightly shrink. No doubt the existing Rules did throw upon Mr. Speaker or upon the Chairman of Committees the responsibility of deciding in certain cases whether a particular Amendment had been discussed long enough or not. That responsibility had been complained of as being a greater burden than ought to be put upon the Speaker or the Chairman of Committees, but this proposal went much further; it was suggested that they should ask the Chairman to decide, not merely whether a particular point had been debated long enough, but to cast his eye back through each successive stage of the Bill and to determine the question whether the whole debate had lasted long enough. The Government thought that that responsibility should be taken by the House, and by the House alone. The Government were aware of the responsibility which they took upon themselves in making the proposal which they had made; they recognized the fact that every Government that made such a proposal did so at its peril, but it was for the country to judge. The Government believed, rightly or wrongly, that they were supported by public opinion, and it was for that reason and because they were the responsible guardians of the time of the House and those who had to make the arrangements by which the convenience of Members was best consulted, that they had taken upon themselves most reluctantly to make the Motion now before the House.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian) said, that he had not spoken upon the Motion of the Government, not because he had too little, but because he had too much to say. In his opinion, if they were to use the Motion, as they were entitled, for the purpose of bringing under full Parliamentary review the most extraordinary series of transactions he had ever known they would reach 1 o'clock long before the legitimate debate on the subject would be exhausted. In these circumstances he did not wish to occupy the time of the House, and therefore he would avoid the main question. He must, however, say one passing word with regard to what had fallen from the right hon. Gentleman the Chief Secretary for Ireland. The right hon. Gentleman had said that the Government were supported by public opinion, as they on that side of the House believed

that they were supported by it. As the right hon. Gentleman said so, he had no doubt that that was the right hon. Gentleman's opinion; but there was this difference between them—that while they on that side of the House showed great anxiety that the public opinion of the country should be tested, hon. Gentlemen opposite, notwithstanding the confidence which they professed in that public opinion, were very careful to avoid any disposition to test it, and through their organs reckoned upon the full period of seven years of Parliamentary life as the time during which they might enjoy immunity from any practical reference to the public judgment. With regard to the proposal of the hon. Member (Mr. Maurice Healy), they had objected, and they still objected, to the regulation of last year, placing the responsibility on the Speaker in the application of the closure, which they looked upon as nothing less than a public calamity. In these circumstances — though they had every confidence in the Chairman of Committees—yet he thought that the objections of the right hon. Gentleman the Chief Secretary were good, and that they had no right to put this responsibility upon the Chairman. He ventured to express a hope that this proposal might be withdrawn.

Amendment, by leave, *withdrawn.*

Main Question again proposed.

MR. AIRD rose in his place, and claimed to move, "That the Question be now put;" but Mr. Speaker withheld his assent, and declined then to put that Question.

MR. ASQUITH (Fife, E.) said, that having regard to the arguments used on that side of the House, and the extent to which they were shared by the independent Members on the opposite side, he was not surprised at the reticence of the Government. The Chairman would be obliged to put all the clauses, and none of the Amendments or new clauses. He did not think that the Government could consider it desirable that each and every Amendment should be swept away without discussion, and he therefore proposed to modify the Resolution by making it apply to the several Amendments and new clauses now printed on the Notice Paper, if not then disposed of. He hoped the right hon. Gentleman the Chancellor of the Exchequer would see his way to accept that proposal.

Amendment proposed,

In line 5, to leave out the words "Questions, That any Clause then under consideration, and each remaining Clause of the Bill, stand part of the Bill," and insert the words "several Amendments and new Clauses now printed on the Notice Paper and not then disposed of,"—(*Mr. Asquith,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GOSCHEN said, he could not accept the Amendment of the hon. and learned Member (Mr. Asquith), but he thought he could make an alternative proposal which would substantially meet the views of the hon. Member for Northampton (Mr. Bradlaugh) and other hon. Members. Of the Amendments on the Paper a very considerable number were of secondary importance. If the hon. and learned Member would withdraw his Amendment he would propose to introduce words to the effect that the Chairman should successively put forthwith from the Chair all the Amendments which might, in his judgment, be of the greatest importance. [*Cries of* "Oh!"] He would not press it in the face of opposition from hon. Members. He believed the Chairman of Committees would not object to this burden being placed upon him; if he had the slightest objection the Government would not urge it.

MR. W. E. GLADSTONE said, that this was nearly the proposal of the hon. Member below the Gangway to which the right hon. Gentleman the Chief Secretary for Ireland objected.

MR. A. J. BALFOUR said, that he thought the proposal differed—though it did throw on the Chairman of Committees a burden which the original proposal of the Government did not—but the Government had no desire to stand by that of the right hon. Gentleman the Chancellor of the Exchequer.

MR. WHITBREAD (Bedford) said, he thought the last proposal of the Government was the most astounding proposition ever made to Parliament. It was that the Chairman of Ways and Means, without having heard one syllable in favour of any Amendment, should pick out which Amendments in

his judgment were important and sacrifice those which he thought were not. Such an innovation he most emphatically protested against. The Committee which sat on Procedure a few years ago had before it evidence from every foreign State which used the closure, and the question was put to them whether the closure had been complained of as having been abused or unduly used? In every single instance, if his memory served him, the answer came back that it had not been complained of as having been abused by the majority. Did the Government think, if they used the power they proposed that night, that it would not be complained of; and was it to be said that England, the mother of Parliaments, was the country in which the majority were least able to control themselves? If the closure was to be used in the unjustifiable manner now proposed, it would encourage minorities to use such powers as they still possessed in a manner which would not facilitate the despatch of Public Business.

MR. T. M. HEALY said, he rejected the suggestion of the Government. He preferred, as a mercy to the House, that the Motion should be carried in the most offensive and naked manner, because it would prove a most useful precedent. The Government were insulting the Chairman of Committees by asking him to invite Members to divide upon Amendments, the arguments in support of which they had not heard.

MR. GOSCHEN said, he would not propose his Amendment.

SIR LYON PLAYFAIR (Leeds, S.) said, that the Amendment proposed by the hon. and learned Member behind him (Mr. Asquith) was an Amendment which would have brought back the Motion of the Government to the exceptional Closure Rule passed in 1881, to enable very difficult and arduous work to be done in Parliament. It enabled the House, at all events, to give its opinion on the Amendments. Nothing could be worse than the new proposal of the right hon. Gentleman the Chancellor of the Exchequer. The only protection the Chairman had in superintending discussion was that his action should be absolutely apart from the wisdom or the importance of the Amendments. He believed with the hon. and learned Member for Inverness (Mr. Finlay) that the important Amendments remaining would have been soon discussed in a proper way. They had the Rule of Closure which would have enabled them to stop any frivolous Amendments. He believed the Bill would have been got through to-night, or at least in another day. To save one day the Government had proposed a Rule of the most drastic and indiscriminate character—it was a complete slaughter of all Amendments to the clauses without considering their importance. It was most unfortunate that that precedent had been made; and although he thought the Amendment of the hon. and learned Member for East Fife (Mr. Asquith) was much better than the extreme closure proposed by the Government, he could not vote for it, because it would be an admission from that side of the House that this extreme form of closure was justifiable on a Bill of this kind. To that he could not assent, as he considered the action of the Government was wholly unjustifiable, and formed a precedent of a most dangerous character to the restraint of free discussion.

SIR JOHN SIMON (Dewsbury) said, he thought the Government would save time and trouble if they would say at once whether it was their intention to accept any of the Amendments on the Paper?

MR. T. P. O'CONNOR asked, whether the Government had withdrawn their Amendment, and whether they opposed that of his hon. and learned Friend?

MR. GOSCHEN having replied in affirmative to both questions,

MR. ASQUITH said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn*.

Main Question put.

The House *divided*:—Ayes 237; Noes 185: Majority 52.

AYES.

Addison, J. E. W.	Baring, T. C.
Aird, J.	Barry, A. H. S.
Ambrose, W.	Bartley, G. C. T.
Amherst, W. A. T.	Barttelot, Sir W. B.
Anstruther, H. T.	Bates, Sir E.
Ashmead-Bartlett, E.	Bazley-White, J.
Baden-Powell, Sir G. S.	Beach, right hon. Sir M. E. Hicks-
Bailey, Sir J. R.	Beadel, W. J.
Baird, J. G. A.	Beaumont, H. F.
Balfour, rt. hon. A. J.	Bective, Earl of
Banes, Major G. E.	Bentinck, rt. hn. G. C.
Barclay, J. W.	Bentinck, W. G. C.
Baring, Viscount	

Beresford, Lord C. W.
De la Poer
Bethell, Commander G. R.
Bigwood, J.
Birkbeck, Sir E.
Blundell, Colonel H. B. H.
Bolitho, T. B.
Bond, G. H.
Borthwick, Sir A.
Bridgeman, Col. hon. F. C.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brookfield, A. M.
Brown, A. H.
Bruce, Lord H.
Caine, W. S.
Caldwell, J.
Campbell, J. A.
Carmarthen, Marq. of
Cavendish, Lord E.
Chamberlain, rt. hn. J.
Chamberlain, R.
Chaplin, right hon. H.
Charrington, S.
Clarke, Sir E. G.
Cochrane-Baillie, hon. C. W. A. N.
Coddington, W.
Colomb, Sir J. C. R.
Cooke, C. W. R.
Corbett, A. C.
Corbett, J.
Cranborne, Viscount
Cross, H. S.
Crossley, Sir S. B.
Crossman, Gen. Sir W.
Cubitt, right hon. G.
Currie, Sir D.
Curzon, Viscount
Curzon, hon. G. N.
Darling, C. J.
Davenport, H. T.
Davenport, W. B.
De Lisle, E. J. L. M. P.
Dixon-Hartland, F. D.
Duncan, Colonel F.
Dyke, rt. hn. Sir W. H.
Ebrington, Viscount
Edwards-Moss, T. C.
Egerton, hon. A. J. F.
Elliot, hon. A. R. D.
Ellis, Sir J. W.
Elton, C. I.
wart, Sir W.
Eyre, Colonel H.
Feilden, Lt.-Gen. R. J.
Fellowes, A. E.
Fergusson, right hon. Sir J.
Field, Admiral E.
Finlay, R. B.
Fisher, W. H.
Fitzwilliam, hon. W. H. W.
Fitz-Wygram, Gen. Sir F. W.
Folkestone, right hon. Viscount
Forwood, A. B.
Fowler, Sir R. N.
Fraser, General C. C.
Fry, L.
Fulton, J. F.
Gardner, R. Richardson-
Gent-Davis, R.
Giles, A.
Godson, A. F.
Goldsworthy, Major-General W. T.
Gorst, Sir J. E.
Goschen, rt. hon. G. J.
Granby, Marquess of
Gray, C. W.
Green, Sir E.
Grimston, Viscount
Gunter, Colonel R.
Hall, A. W.
Halsey, T. F.
Hamilton, right hon. Lord G. F.
Hamilton, Lord C. J.
Hamilton, Lord E.
Hamley, Gen. Sir E. B.
Hanbury, R. W.
Hardcastle, F.
Hartington, Marq. of
Hastings, G. W.
Havelock-Allan, Sir H. M.
Heath, A. R.
Heathcote, Capt. J. H. Edwards-
Herbert, hon. S.
Hervey, Lord F.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hill, A. S.
Hoare, E. B.
Hobhouse, H.
Houldsworth, Sir W. H.
Howard, J.
Hozier, J. H. C.
Hughes, Colonel E.
Hughes-Hallett, Col. F. C.
Isaacs, L. H.
Isaacson, F. W.
Jackson, W. L.
Jarvis, A. W.
Johnston, W.
Kelly, J. R.
Kennaway, Sir J. H.
Kenrick, W.
Kenyon, hon. G. T.
Ker, R. W. B.
Kerans, F. H.
Kimber, H.
King, H. S.
Knightley, Sir R.
Knowles, L.
Kynoch, G.
Lafone, A.
Lawrence, W. F.
Lea, T.
Lechmere, Sir E. A. H.
Lees, E.
Legh, T. W.
Lethbridge, Sir R.
Lewis, Sir C. E.
Lewisham, right hon. Viscount
Long, W. H.
Lowther, hon. W.
Lowther, J. W.
Lubbock, Sir J.
Lymington, Viscount
Macartney, W. G. E.
Macdonald, right hon. J. H. A.
Mackintosh, C. F.
Maclean, F. W.
Maclean, J. M.
Madden, D. H.
Matthews, rt. hn. H.
Mattinson, M. W.
Maxwell, Sir H. E.
Milvain, T.
More, R. J.
Morrison, W.
Moss, R.
Mowbray, rt. hon. Sir J. R.
Mowbray, R. G. C.
Mulholland, H. L.
Muncaster, Lord
Muntz, P. A.
Murdoch, C. T.
Newark, Viscount
Noble, W.
Northcote, hon. Sir H. S.
O'Neill, hon. R. T.
Paget, Sir R. H.
Parker, hon. F.
Penton, Captain F. T.
Plunket, rt. hon. D. R.
Plunkett, hon. J. W.
Pomfret, W. P.
Price, Captain G. E.
Raikes, rt. hon. H. C.
Rankin, J.
Rasch, Major F. C.
Reed, H. B.
Richardson, T.
Ritchie, rt. hon. C. T.
Robertson, Sir W. T.
Robertson, J. P. B.
Robinson, B.
Ross, A. H.
Round, J.
Royden, T. B.
Saunderson, Colonel E. J.
Sellar, A. C.
Shaw-Stewart, M. H.
Sidebottom, T. H.
Sidebottom, W.
Sinclair, W. P.
Smith, A.
Spencer, J. E.
Stanhope, rt. hon. E.
Stanley, E. J.
Stokes, G. G.
Swetenham, E.
Talbot, J. G.
Tapling, T. K.
Taylor, F.
Temple, Sir R.
Theobald, J.
Thorburn, W.
Tomlinson, W. E. M.
Townsend, F.
Trotter, Colonel H. J.
Tyler, Sir H. W.
Villiers, rt. hon. C. P.
Vincent, C. E. H.
Waring, Colonel T.
Watson, J.
Webster, Sir R. E.
West, Colonel W. C.
Weymouth, Viscount
Wharton, J. L.
Whitley, E.
Wodehouse, E. R.
Wolmer, Viscount
Wood, N.
Wortley, C. B. Stuart-
Wright, H. S.

TELLERS.

Douglas, A. Akers-
Walrond, Col. W. H.

NOES.

Abraham, W. (Glam.)
Abraham, W. (Limerick, W.)
Allison, R. A.
Anderson, C. H.
Asher, A.
Asquith, H. H.
Atherley-Jones, L.
Balfour, Sir G.
Balfour, rt. hon. J. B.
Ballantine, W. H. W.
Barbour, W. B.
Barran, J.
Barry, J.
Biggar, J. G.
Bolton, J. C.
Bolton, T. D.
Broadhurst, H.
Brown, A. L.
Brunner, J. T.
Bryce, J.
Burt, T.
Buxton, S. C.
Byrne, G. M.
Campbell, Sir G.
Carew, J. L.
Causton, R. K.
Chance, P. A.
Channing, F. A.
Clancy, J. J.
Clark, Dr. G. B.
Cobb, H. P.
Colman, J. J.
Conway, M.
Corbet, W. J.
Cossham, H.
Cox, J. R.
Cozens-Hardy, H. H.
Craven, J.
Crawford, D.
Cremer, W. R.
Crilly, D.
Deasy, J.
Dickson, T. A.
Ellis, J.
Ellis, J. E.
Ellis, T. E.
Esmonde, Sir T. H. G.

Esslemont, P.
Evans, F. H.
Fenwick, C.
Ferguson, R. C. Munro-
Finucane, J.
Firth, J. F. B.
Fitzgerald, J. G.
Flower, C.
Flynn, J. C.
Foley, P. J.
Fowler, rt. hon. H. H.
Fox, Dr. J. F.
Gaskell, C. G. Milnes-
Gilhooly, J.
Gill, T. P.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Goldsmid, Sir J.
Gourley, E. T.
Graham, R. C.
Gully, W. C.
Haldane, R. B.
Harcourt, rt. hon. Sir W. G. V. V.
Harrington, E.
Harrington, T. C.
Harris, M.
Hayden, L. P.
Hayne, C. Seale-
Healy, M.
Healy, T. M.
Holden, I.
Hooper, J.
Hunter, W. A.
Joicey, J.
Jordan, J.
Kenny, C. S.
Kenny, J. E.
Kenny, M. J.
Kilbride, D.
Labouchere, H.
Lalor, R.
Lawson, Sir W.
Leamy, E.
Lefevre, rt. hn. G. J. S.
Lewis, T. P.
Macdonald, W. A.
MacInnes, M.
Mac Neill, J. G. S.
M'Cartan, M.
M'Carthy, J.
M'Donald, P.
M'Donald, Dr. R.
M'Ewan, W.
M'Kenna, Sir J. N.
M'Laren, W. S. B.
Mahony, P.
Marum, E. M.
Mayne, T.
Molloy, B. C.
Morley, right hon. J.
Mundella, rt. hon. A. J.
Murphy, W. M.
Neville, R.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, J. F. X.
O'Brien, P. J.
O'Brien, W.
O'Connor, J.
O'Connor, T. P.
O'Doherty, J. E.
O'Gorman Mahon, The
O'Hanlon, T.
O'Keeffe, F. A.
O'Kelly, J.
Parker, C. S.
Parnell, C. S.
Paulton, J. M.
Philipps, J. W.
Pickard, B.
Pickersgill, E. H.
Picton, J. A.
Pinkerton, J.
Playfair, rt. hon. Sir L.
Plowden, Sir W. C.
Power, P. J.
Power, R.
Priestley, B.
Provand, A. D.
Pugh, D.
Pyne, J. D.
Randell, D.
Redmond, J. E.
Redmond, W. H. K.
Reid, R. T.
Rendel, S.
Reynolds, W. J.
Roberts, J. B.
Robertson, E.
Roe, T.
Roscoe, Sir H. E.
Rowlands, J.
Rowntree, J.
Sexton, T.
Shaw, T.
Sheehan, J. D.
Sheehy, D.
Sheil, E.
Simon, Sir J.
Sinclair, J.
Smith, S.
Spencer, hon. C. R.
Stack, J.
Stanhope, hon. P. J.
Stevenson, F. S.
Stewart, H.
Stuart, J.
Sullivan, D.
Sullivan, T. D.
Summers, W.
Sutherland, A.
Swinburne, Sir J.
Tanner, C. K.
Thomas, A.
Thomas, D. A.
Trevelyan, right hon. Sir G. O.
Tuite, J.
Wallace, R.
Warmington, C. M.
Watt, H.
Wayman, T.
Whitbread, S.
Will, J. S.
Wilson, H. J.
Winterbotham, A. B.
Woodall, W.
Woodhead, J.
Wright, C.

TELLERS.
Marjoribanks, rt. hon. E.
Morley, A.

Ordered, That at One o'clock a.m. on Friday 3rd August, if the Members of Parliament (Charges and Allegations) Bill be not previously reported from the Committee of the whole House, the Chairman shall put forthwith the Question, or Questions, on any Amendment or Motion already proposed from the Chair. He shall next proceed and successively put forthwith the Questions, That any Clause then under Consideration, and each remaining Clause in the Bill stand part of the Bill. After the Clauses are disposed of he shall forthwith report the Bill, as amended, to the House. From and after the passing of this Order no Motion, That the Chairman do leave the Chair, or do report Progress, shall be allowed.

ORDERS OF THE DAY.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.—[BILL 336.]

(*Mr. William Henry Smith, Mr. Secretary Matthews, Mr. Solicitor General.*)

COMMITTEE. [*Progress 1st August.*]

[FOURTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Appointment and duties of special commissioners).

THE CHAIRMAN pointed out that the Amendment in the name of the hon. and learned Member for Dundee (Mr. E. Robertson) was identical with an Amendment already disposed of in Committee, and was, therefore, out of Order. The first Amendment of the hon. Member for Londonderry City (Mr. Justin M'Carthy) was also out of Order, on the ground that it was beyond the scope of the Bill.

MR. JUSTIN M'CARTHY (Londonderry City) said, he rose to move an Amendment the meaning of which was that the Commission should compel those concerned in this investigation to bring out in every form all the history of the manner in which these charges had been got up. It was not enough that the charges remained to be examined as they now stood by a public tribunal. They could all understand that the editor of *The Times* was prompted to set out these serious charges and allegations by some person or persons unknown. It was of the utmost importance that the Commission should be put in possession of the way in which the charges were originally got up; it might have been that some disappointed person was at the bottom of the charges,

[*Fourth Night.*]

or some man had made them for the sake of pay. What they wanted to get at was the story of the inception of the charges; they wanted to know who it was that came to Mr. Buckle and said —"I will betray to you all this matter affecting Members of Parliament;" who was the man who brought the forged letters to Mr. Buckle or Mr. Walter, and under what pretence did he make Mr. Buckle or Mr. Walter believe that they were honestly obtained; what was the original evidence to satisfy Mr. Walter and Mr. Buckle that these letters were genuine documents? He presumed that in a Court of Common Law any person producing such letters could be asked how he knew them to be genuine; and, that being so, he was of opinion that something of the same kind should be the case in the investigation by this Commission. But, although that might be the case with the forged letters, it might not be so with regard to other charges and statements made. They wanted not only to have the charges put on the table before the Commission, but they wanted as a first, or, at all events, as an early step, to get at the secret history of the charges and to discover the man who brought them forward, as well as the *primâ facie* case given to *The Times* in virtue of which the articles were published. He was strongly of opinion—it was his conviction—that if they could get that story in the beginning it might save the Judges a great amount of investigation. He believed that it would have the effect of convincing every reasonable man of the absurdity and falsehood of the whole mountain of charges that had been heaped up by *The Times* day after day. He would only say, further, that if the Committee would accept his Amendment they would save a vast amount of time in the exposure of a hideous conspiracy, and, with regard to the persons implicated, "would put a whip in every honest hand to lash the rascals naked through the world."

Amendment proposed,

In page 1, line 20, at end of the Clause, to add the words "and the circumstances under which the said charges and allegations were originally published and made by the defendants in the said action."—(*Mr. Justin M'Carthy.*)

Question proposed, "That those words be there added."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.) said, that, so far as the charges and allegations were concerned, the object of the hon. Gentleman would be attained without the insertion of the Amendment, because the subject would necessarily be brought under the notice of the Commissioners; all matters would be necessarily inquired into by the Commission so far as they bore on the truth of the charges and allegations, and if the truth were established, the motives with which they were published did not appear to be of much importance.

MR. ANDERSON (Elgin and Nairn) said, he quite agreed with the right hon. Gentleman the Secretary of State for the Home Department that what was intended by the hon. Gentleman the Member for Londonderry City (Mr. Justin M'Carthy) would necessarily be brought under the notice of the Commission when they came to consider the subject referred to. But the right hon. Gentleman had referred to the letters, and he said that if the genuineness of the letters were proved, which, of course, would depend upon the handwriting, it would not be necessary for the Judges to go into the question as to how *The Times* obtained the letters. If the Commissioners did not go into the question as to how the letters were obtained, they would leave out one of the important elements of genuineness. As a general rule, you prove the genuineness of a letter by calling upon experts in handwriting, and that was sufficient; but the right hon. Gentleman was now taking a course which had actually been taken on the trial by the hon. and learned Attorney General in his position as counsel for *The Times*, when he said that nothing would make *The Times* swerve from the course they had originally taken—that was to say, they would not divulge the source from which they obtained the letters. Was that the position taken up by Her Majesty's Government? One of the matters he wished to have distinctly understood by the Committee was, that the counsel for *The Times* ought not to be permitted to take up that position which the hon. and learned Attorney General had done as counsel for *The Times* in the case of "O'Donnell *v.* Walter." He looked upon this particular point as to whence

the letters originated, and whence they were obtained, as the essence of the question. He had been told on authority, which was not altogether bad, that *The Times* had in its possession several hundred other letters reputed to be written by the hon. Member for Cork; but he would remind hon. Members that in the case of articles of *vertu* the supply soon became very great, and that there might have been an actual flood of so-called genuine letters of the hon. Member for Cork. He should like to have the question investigated and fully brought out at the inquiry, how many hundreds of forged letters *The Times* now possessed, because that would be an important matter in considering the genuineness of the letters in question. He would ask the right hon. Gentleman the Secretary of State for the Home Department if he had misunderstood him in saying that the Government disavowed the course taken by the counsel for *The Times*, and that the Commissioners would not be allowed to take again at the commencement of the inquiry the course of action which had been resorted to by the hon. and learned Attorney General in the case of "O'Donnell *v.* Walter?" He was in Court when the hon. and learned Attorney General made the statement he had referred to, and he remembered that it created a profound sensation; but to say that the information asked for in the Amendment should not be given would be to shut the door to one of the main pieces of evidence as to genuineness. If he had had any faith in the genuineness of the letters, it was shaken by the refusal of *The Times* to state the source from which they were derived. He did not believe any journal, which was genuinely anxious to bring before the public any important documents, sincerely believing in their genuineness, would refuse to bring forward one of the first elements of proof of their genuineness. For these reasons he hoped the Government would tell the Committee that the procedure before the Commission was not to be the same as in the case of "O'Donnell *v.* Walter," and that the source from which the letters had been derived was to be inquired into. But, upon the grounds stated by the right hon. Gentleman the Secretary of State for the Home Department, he thought the Amendment might be almost dispensed with.

THE LORD MAYOR OF DUBLIN (Mr SEXTON) (Belfast, W.) said, he did not think his hon. and learned Friend (Mr. Anderson), in speaking of the Amendment being dispensed with, had given any reason why it should not be discussed. The ear of the Government was a somewhat dull ear; but hon. Members would have to make a further appeal to the right hon. Gentleman at the risk of being denounced again to-morrow for blackguardism by Mr. Walter, the big brother of the Government. He must say that, so far as they were concerned, they not only invited the fullest inquiry, but were anxious for it. He had to remind the Committee that the noble Lord the Member for Rossendale (the Marquess of Hartington) had said on Tuesday last in the House that *The Times* was on its trial in this business as well as the Irish Members. Undoubtedly that was the case, and it was possible that some of its charges might not be made good. As the Bill stood, it would relieve *The Times*, if found guilty of publishing forgeries, of all consequences, whether civil or criminal; but when this Commission was over, it would seem that no one attacked by *The Times* could possibly bring a civil action.

MR. MATTHEWS: Only witnesses are relieved.

MR. SEXTON said, of course, Mr. Buckle and Mr. Walter would come before the Commission and make what they called a full disclosure, and obtain a certificate which would protect them against civil action commenced by anyone. That being so, it became of great importance that the proceedings before the Commission should be searching and go to the bottom not only of acts, but of motives. The right hon. Gentleman the Home Secretary held that, if the fact of murder was proved, there was no necessity to go into motives. That was an admirable argument from an Old Bailey point of view, because if you wanted to prove a man's guilt you hanged him, and there was an end of the matter; but from the point of view of statesmanship it was not only necessary that the act, but the motives, should be ascertained. He held it to be a matter of great importance to prove not only who committed a crime, but what was the motive for its commission, because then practical statesmanship would

apply itself to the prevention of causes which led to crime. If there were to be an inquiry into the discovery of motive, the Amendment must be accepted. The Commissioners were only required to inquire and report on the truth or falsity of the allegations and charges; but if motive was an essential part of the inquiry, they should not be directed to inquire into the allegations unless they inquired also into the circumstances. It would be a proper matter for inquiry, in case the allegations or charges were proved to be false, under what circumstances *The Times* made them; it would be necessary to ask who the writer of the articles was—whether he was a person of position or a penny-a-liner? Every point tending to establish or prove the good faith of *The Times* in publishing the articles would be necessary to the ascertainment of the truth. They had heard that these letters had been offered to another person. He was aware that these very inferior works of art had been hawked about the country by persons for some years. On the meeting of the Commission they would want at once to get Mr. Walter into the chair to know where he got the letters from. The only way to discover the falsehood of the letters would be to proceed back upon the track on which the letters came, and then it would come up whether, having regard to the man's position or financial means, Mr. Walter and another were justified in taking them from him and publishing them. In point of fact, it would be a vital element to consider whether Walter and another, in dealing with these documents, dealt with them in manifest bad faith and malice, or whether they took them in good faith and only used them after due inquiry into their genuineness. If Walter and another, under the Bill as it stood, said they obtained the letters from So-and-so and gave so much money for them, that would be a full disclosure, and they would get their certificate; but he thought Irish Members would have to pursue that matter a little further, and for that reason the Amendment ought to be accepted.

MR. STAVELEY HILL (Staffordshire, Kingswinford) said, he did not think the hon. and learned Member for North Longford need be very much afraid of the consequences of his Amendment not being adopted. The Judges on the Commission were men of great practical experience, and one of the first considerations would be whether these letters were genuine or forged. Every question bearing upon them could be put on cross-examination, and would be considered where they came from, who was the person who brought them to *The Times;* and, in short, *The Times* proprietors, would not be allowed to ride over the course in the way the hon. Gentleman suggested. Unless *The Times* could give an account whence these letters came, and could produce the persons from whom they bought or obtained them, and unless those persons could stand cross-examination, the Judges would never have accepted the inquiry. When a proper cross-examination was administered, a clear account would have to be given as to how the letters came into the hands of *The Times*, by whom they were written, and how they came into the hands of the person to whom it was alleged that the hon. Member for Cork had given them. The whole matter would be gone into, and, unless this was done, the letters would be held to be forged, and the whole idea of their being genuine would be scouted. He was afraid that, as the last clause of the Bill stood, although the Government might not have intended it, if Mr. Walter or anybody else gave an account however damaging to themselves, or however criminating to themselves, if that account were true, they would be entitled to an indemnity which would shield them from liability for their acts. Now that ought not to be so, and for that reason he had asked earlier in the afternoon a question with reference to Amendments to which he hoped a satisfactory answer would be given.

MR. LABOUCHERE (Northampton) said, he would point out to the hon. and learned Gentleman opposite (Mr. Staveley Hill) that he had an Amendment upon the Paper to the last clause, which would have the effect of voiding the injustice which the hon. and learned Member pointed out. He believed that one of the reasons why the Government were so anxious to bring the discussion of the Bill to a close without considering the Amendments was that they were bound to Mr. Walter not to allow any such Amendment to be proposed. That was perfectly monstrous, because it was depriving people of a remedy at law.

THE CHAIRMAN said, he must point out to the hon. Member for Northampton that he was not in Order in discussing an Amendment by anticipation.

MR. LABOUCHERE said, it was an extraordinary thing that, whenever any hon. Member on the Opposition side of the House got up and pointed out that it would only be reasonable and fair that the Judges should be obliged to follow some particular course, he was met by the answer of the Government that the Judges were so wise that they would most unquestionably pursue that course. The basis of the Bill was built up on the Government confidence in Mr. Justice Day and others. Now, not having that confidence, he could not understand why the Government did not accept Amendments calling upon the Judges to do precisely what the Government said they would do. He defied *The Times*, or any Representative of *The Times* on the Treasury Bench, to deny that last autumn, when *Parnellism and Crime* had already been published and fallen a little flat, they engaged a detective at a large salary and sent him to the United States under a false name, whose business it was to try and get friends with persons connected with the National Movement out there, and who was given free scope to buy up all documents of a certain kind and send them to *The Times*. Now, he thought that kind of thing ought to be investigated. It was an encouragement to robbery, and it was an encouragement to theft. He did not see why, if everything relating to his hon. Friends was to be investigated by this tribunal, it should not also investigate the particular sources from which these letters came, and look into the course of action which had been pursued by *The Times* in their systematic attempt to vilify the Irish Party. The object of the Amendment was to get at the whole truth, and his hon. Friends had only referred to the letters as an illustration of its object. They did not want to go into the motives of Mr. Walter; his object was clear enough; his newspaper was going down in circulation, and he wanted something sensational to bring it up. Those were his motives; perhaps they were good motives, but they were the motives undoubtedly. They wanted to know how all this system had been carried out by *The Times*, in order that they might found upon it some check to this system, which he had already said was a practical encouragement to fraud and robbery.

MR. ANDERSON said, he agreed with the hon. and learned Member for the Kingswinford Division of Staffordshire (Mr. Staveley Hill) that the Judges would inquire into where the particular letters came from. But his point was not only that the Judges should inquire into particular letters, as he agreed it was their duty to do; but he also wanted to know how it was that *The Times* got those forged documents into their possession, because they had a great number of other documents in their possession which were undoubtedly forgeries? Surely, it was a most important matter to inquire into them also; but under the Bill, as it stood, he believed that the Judges had no such jurisdiction. The terms of the Bill were that they should inquire into the allegations and charges made in the action of "O'Donnell *v. The Times*" against Members of Parliament and others. Now, there was no charge made in the action of "O'Donnell *v. The Times*"—nothing of the sort. *The Times* had out of this mass of forgeries brought forward two or three only. He was sure that was a matter which ought to be the subject of inquiry. ["Hear, hear!"] The right hon. Gentleman the Secretary of State for the Home Department appreciated that sentiment; but would he get up and say that in the opinion of himself or the Solicitor General the Judges would have power under this Bill to go into the question? If so, he should be perfectly satisfied.

MR. T. D. SULLIVAN (Dublin, College Green) said, he could not understand why the Government should oppose the Amendment; because all through the discussion it had been stated from the Treasury Bench that the great object of the inquiry was to get at the truth, and the whole truth, and objection had been over and over again taken to the inclusion of anything that would limit the scope of the inquiry. The Amendment went to the purpose of getting at a very important part of the whole truth, and he wondered how the right hon. Gentleman the Secretary for the Home Department could get up and oppose it. It was exceedingly important in this inquiry, which was not to be exclusively

directed to the truth or innocence of Members of Parliament, that they should learn how the documents were obtained by *The Times;* under what circumstances they came into the possession of that journal; what amount of money was given for them, and who were the persons who supplied them. All these things constituted a most important part of the whole truth which the Government had declared themselves to be so anxious to ascertain. A forgery might by skilful people, be very adroitly effected; it was possible to imitate with a wonderful degree of perfection the signature and handwriting of any man. A skilful forger, with care, time, and practice, and original documents before him, could, he maintained, produce an imitation, not only of the signature, but of the handwriting of any man in the House of Commons, or any man in England, with such perfection as might deceive the person whose handwriting was imitated. It would throw a great light on the genuineness or otherwise of these documents, if they were to know early who were the parties who supplied them to *The Times.* The person who supplied the documents might be a person of bad character. He must be someone who had a bitter animus against the hon. Member for Cork, or other Members of the Irish Party; he might be a man who had been notoriously seeking to blackmail the Members of the Irish Party, or one who had been trying to beg or extort money from them. The personality of the person from whom the letters came would unquestionably throw an important light upon their authenticity. Then why should the Government show so much opposition to the inclusion of these words? He thought there was good reason why the Amendment should be admitted. The right hon. Gentleman the Secretary of State for the Home Department had told the Committee that the Judges would be men of experience and men of sense and discretion, and that they would investigate every important point, and rule out every one one that was not important, and that they would not waste time in the consideration of what was irrelevant. He (Mr. T. D. Sullivan) would like to have something more definite to go upon than that, and they preferred that the security should be in the Bill, which would be more reliable than the opinion of the right hon. Gentleman. It was a matter of notoriety that at the trial of "O'Donnell *v.* Walter" the counsel for *The Times* stated in open Court that, whatever might happen in the course of the proceedings, the proprietor of *The Times* would not reveal the source from which he got the documents. That was a very bold position to take up; men in Ireland were being sent to prison every day for refusing to answer questions put to them in the Star Chamber Court; and Mr. Walter announced openly in Court that he would refuse to produce the person from whom the documents were obtained, or disclose the ways and means by which he obtained them. They thought it was essential that the proprietor of *The Times* should be compelled to do this. The right hon. Gentleman the Home Secretary did not know that his views as to the course of the inquiry would be shared by the Judges; and, at any rate, the Committee desired that the protection given by the Amendment should be included in the Bill. He thought that the case of the Amendment was a strong one, and he hoped that the right hon. Gentleman would be able to give a better reason than he had given for the opposition of the Government to it. He repeated that the right hon. Gentleman had told the Committee that the Judges would do one thing and would not do another; but the Commissioners might not see the matter in exactly the same light as the right hon. Gentleman; and, that being so, Irish Members, as one of the Parties in the case, urged upon the Government the acceptance of the Amendment of the hon. Member for Londonderry. They wanted it inserted in the Bill that *The Times* should be compelled to inform the Commission of the source from which and the means by which they obtained these documents, giving the names of the persons who supplied them. If the Government would do that, he maintained that it would tend a great deal to satisfy the public. As to having the opinion of experts, that might leave the facts still uncertain, and nothing but the history of the letters could be in any way conclusive. If the person who supplied them were of good report, it would, of course, be an important consideration; if they were persons known to be in bitter animosity to the hon. Member for Cork and his Friends, that

would place them in a different position. For the reasons he had given he strongly urged upon the Committee to insert the Amendment in the Bill.

MR. HARRIS (Galway, E.) said, it would be very unfair if a witness who gave evidence in support of *The Times* on the inquiry were allowed the privilege of not answering questions put by counsel who appeared on the side of Irish Members. If the relief were allowed to these persons, he should certainly feel himself justified in refusing to answer questions put to him, and he questioned whether any witness would not be justified in doing so under those circumstances. This was a most peculiar imposition, and he regarded it as a very disgraceful thing in a country like this that they should arm a body of Commissioners with power to inquire into every description of intercourse people might have with their fellow-men—such powers to overrule the usages and amenities of society. It was a most disgraceful thing that these powers were to be directed altogether to one side, and that the other side was to escape inquiry. It seemed to him that that would be one of the most unfair modes of treatment that a Party was ever subjected to.

DR. KENNY (Cork, S.) said, he hoped the Government would see their way to accepting the Amendment. He, of course, hoped against hope in asking for any such concession on their part. As a matter of fact, the Government knew that it was they themselves who were on their trial—they and their friend *The Times*. As a matter of fact, it was the Government who were seeking to avoid inquiry into the circumstances under which those charges had been made. They would not accept any Amendment which would have the effect of restricting, on the one hand, their friend *The Times* from going into all manner of charges, whether relevant to any specific issue or not, and of equally opposing any Amendment which would give facilities to the Irish Members who were incriminated by *The Times*, or whom *The Times* had endeavoured to incriminate—Amendments framed with the object of throwing back upon *The Times* the charges that really lay at their door. A few nights ago the Government had packed the jury, and ever since then they had been preparing a method by which they might summon evidence to condemn the Irish popular Representatives in that House, and they had been seeking in the interests of *The Times* to drag in every irrelevant matter which they thought might tend to cast guilt upon those Representatives, and upon the Irish people, and to avoid every fair and square issue that could be proposed. He trusted that the Government would have some little sense of shame after all the action they had taken on this Bill, and that they would give the Irish Members some little concession on the point under discussion. The Government were desirous that the Committee should come to a speedy end of these debates; but it was they themselves who, by refusing all such reasonable Amendments as the one now under discussion, were prolonging the debates uselessly. The Government, he believed, were acting thus in order that, at the end of the discussion, they might be able to shut out Amendments of another class, which hon. Members might desire to move hereafter. He hoped some ray of light and grace would come to them even at that late period. Even at that late period he ventured to hope that, if a scintilla of fair play remained with them, they would accept an Amendment which could not operate injuriously to them or to their client, but which would modify that which was intended to operate injuriously upon the Irish Members.

Question put.

The Committee *divided*:—Ayes 128; Noes 162: Majority 34.—(Div. List, No. 258.)

MR. LABOUCHERE said, he desired to move the following Amendment:—In page 1, line 20, after "another," add—

"Provided that the Commission shall, at the commencement of the inquiry and before entering upon further matters, inquire and report upon the letters read by the counsel of the defendant in the action of 'O'Donnell *v.* Walter and another,' purporting to be signed 'Charles S. Parnell,' and to have been written and sent by or under the authority of Mr. Charles Stewart Parnell, the signature to which the aforesaid Mr. Charles Stewart Parnell has declared to be a forgery."

He was glad to think that the atmosphere was not so electric as it had been during the last day or two, and that they were in such a judicial frame of mind that he felt little doubt that he would be able to prove to the hon. and learned Solicitor General and to the Home Secretary that if they wished it

to be thought in the country that this Bill was a fair and honest Bill, they would do well to accept the Amendment he suggested now — an Amendment which, if they did not accept it, they would, at least, admit was an important one, and one that required some sort of discussion. It would be observed that the idea in the Bill was that the whole issue, so far as Members of the House were concerned, was an issue of "*The Times v.* Parnell and others;" but he would point out that there was another side of the matter, and that there was also an issue of "Parnell *v. The Times*." His hon. Friend the Member for the City of Cork (Mr. Parnell) accused *The Times*, precisely as *The Times* accused him. His hon. Friend accused *The Times* of having, either knowingly or foolishly and negligently, published certain letters which they alleged were written by him, but which were forgeries, and which, if they had been written by him, would very seriously have damaged his character. Now, he (Mr. Labouchere) had read through *Parnellism and Crime*. He was not like most hon. Gentlemen on the other side of the House, who took things for granted and voted for their Party without taking the trouble to look into matters. He (Mr. Labouchere) distinctly stated, having read this pamphlet, that absolutely the only real and definite issue of fact in the whole of it was whether the hon. Member for the City of Cork did or did not write these letters. His hon. Friend did not for a moment contest the innuendoes which were contained in what was written in these letters; but he met them with an absolute denial that he had written them. The hon. Member admitted himself that, had he written them, he would have been guilty not only of dishonourable and improper action in so doing, but that he would also be the most outrageous and the most impudent of liars that it would be possible for the human mind to conceive. Now, with regard to his hon. Friend, he had distinctly stated in the House that he did not write those letters; and, so far as he (Mr. Labouchere) gathered from the attitude of hon. Members opposite, they had suspended their judgment. They did not absolutely say that the hon. Member for the City of Cork was guilty of an untruth; but they were not prepared to say that he was not guilty of an untruth. They, on the Opposition side of the House, had been accused whenever they had taken an opportunity of—say, doubting the memory of hon. Gentlemen opposite — they had been denounced by the right hon. Gentleman the Chancellor of the Exchequer and others; but when his hon. Friend and his Colleagues—or "the men below the Gangway," as the right hon. Gentleman expressed it — declared certain statements with regard to them were false, it was deemed only reasonable on the other side to say—"Oh! they may be speaking the truth, or they may not; we know nothing about it." His hon. Friend (Mr. Parnell) had been sneered at for not going to law. He had asked for a Select Committee; but the Government had told him he could not have one. They proposed the present Commission, saying that it would be in accord and in agreement with the wishes of his hon. Friend; but hon. Members on that (the Opposition) side of the House absolutely denied that the hon. Member for the City of Cork had ever, in any sort of way, assented to such a Commission as the Government were proposing. But, at any rate, the Bill for the Commission was before the House, and he did think that it was only reasonable on the part of hon. Gentlemen opposite, as they were to have the Commission, to see that the charge which unquestionably affected his hon. Friend most should be speedily investigated, and that was the scope of the Amendmemt which he (Mr. Labouchere) had here put down. The Amendment was, first, to instruct the Judges to inquire into the truth or falsity of these signatures, "Charles Stewart Parnell," and afterwards to proceed to other matters—but not until they had inquired into this matter and reported thereon. He did not believe the Home Secretary would refuse the Amendment; and he would say why. He had a better opinion of hon. Gentlemen opposite than had many Members upon that—the Opposition—side of the House, and he thought it would be so base and so vile to refuse the Amendment, that until he was informed of the fact by the progress of events he declined to believed that anyone in the House would do such a thing as to refuse it. What interpretation would be put into it? They had had it stated that *The Times*,

and the hon. and learned Attorney General and the "old friend" of *The Times* suspended their belief; but the explanation which would be put upon it by impartial and independent persons like himself (Mr. Labouchere) would be that *The Times*, and both the hon. and learned Attorney General, who represented it, and the First Lord of the Treasury, who was "the old friend" of Mr. Walter, were perfectly convinced by this time that *The Times* had made a mistake, and they themselves, although they were not certain one way or the other, hesitated to believe that the letters were forgeries. The Committee had had a good many indications of this. They had found those letters gradually disappearing from the forefront and becoming a very secondary matter. Then they had had the fact that the Attorney General, acting for *The Times*, had stated that under no circumstances would his clients say what the circumstances attending the production of these letters were. [An hon. MEMBER: Why?] Why, what? The hon. and learned Gentleman the Attorney General, speaking for *The Times*, had stated that under no circumstances would *The Times* acknowledge whence those letters were derived—that they would rather lose their action than state it. Now, that was a very important declaration. He confessed he did not see how *The Times* proprietor could do otherwise. There was such a thing as journalistic etiquette and journalistic honour. [An hon. MEMBER: Not much.] An hon. Friend had said "not much." Well, perhaps not much, but still a certain amount. This journalistic etiquette covered such an event as a person coming to a newspaper with certain information, on the understanding that if the newspaper used the information, either for its private or other purposes, it should pledge itself not to state where it had obtained the information, but accept the consequences of its publication—that was to say, to go to prison or do anything else that might be necessary, rather than reveal the name of its informant. It was said that *The Times* would reveal the name of the person or persons who had supplied them with the letters purporting to be written by the hon. Member for the City of Cork; but, unless *The Times* was preparing to throw away every shred of journalistic honour, it would not do any such thing. In fact, they had the statement that it would not. Everything tended to prove that the Commission which was now proposed and the mode of procedure contemplated were based upon the idea that those letters were forgeries, and the object was to swamp the real issue as to their genuine character in the midst of mud and garbage picked up here, there, and everywhere. They could never, he maintained, come to the fact whether those letters were written by his hon. Friend or not without the adoption of this or some similar Amendment. He would ask the right hon. Gentleman the Home Secretary, who was a distinguished lawyer as well as a distinguished statesman, what would occur if they did not lay down that the letters were to be inquired into first and reported upon first? It was probable that the Judges might think it desirable to look into all the allegations against the Land League and everything else before they touched the question of the letters. They should have all these matters looked into, and that was not the main object of the Commission, as stated by the First Lord of the Treasury; but after they had gone into all these matters *The Times* might say—"We are not going to give the names of the authors of those letters, or the names of the persons from whom we have obtained them." Suppose *The Times* took that course, and suppose that Mr. Walter, rather than give the names of his informants, elected to go to prison. Personally, he should have no objection to Mr. Walter going to prison; but that would not help the case of his hon. Friend. They would have had an investigation into a mass of matters, and this Commission, the object of which was to look into the letters and report upon them, would, after having looked into a mass of irrelevant matter, not be able to find out the authorship of the forgeries. What was the answer which would be given to him (Mr. Labouchere)? Why, he should be first told that these Judges were good and excellent men, and that everything should be left to them. Well, he admitted the excellence and the purity of the Judges. He would admit that they might be the best and the wisest of men; but it did not necessarily follow that, being the best and wisest of men, they would look into the question of these letters and report

thereon, unless they were instructed by the Committee to do so. Then he should be told that the Irish Members had given a general assent to this Bill on the second reading, and that because they had given that assent, they had no right to propose any change or alteration in it. Well, he should like to know what on earth was the good of a Committee stage, if such a principle as that was to be laid down? He never yet heard of such a principle being laid down or being acted upon. Most assuredly, it was not acted upon by hon. Gentlemen opposite when they were in Opposition. Again and again, they accepted the second reading of a Bill, and endeavoured to alter that Bill in Committee. But in this case it had to be remembered that the Irish Members had clearly laid down certain conditions under which they would accept the Bill. The hon. Member for the City of Cork did not give his assent to the Bill as it stood at the second reading. None of them had given their assent to it. What had occurred? Why, he distrusted, and always did distrust, hon. and right hon. Gentlemen on the Front Bench opposite. He had put down an Amendment to the effect that the Bill should be read a second time that day six months. A good many Members on the Opposition side were most anxious that he should go to a vote on that Amendment; and who was it that prevented him? Certainly, not hon. Gentlemen opposite; but it was the hon. Gentleman the Member for the City of Cork. The line that hon. Member took was this—"I am so very anxious that there should be an investigation into these matters—into these direct charges against me—that I hope you will do nothing to prevent the passing of this Bill." He (Mr. Labouchere) had said upon that —"You do not mean to say you want this Bill?" And the hon. Member replied—"No; but I am certain that after we have discussed the matter in Committee we shall have some fair alteration in the measure." He (Mr. Labouchere) had rejoined—"I do not believe it; if you take my word for it, you will get nothing from the Government." Well, which of them had been proved to be in the right—his hon. Friend or himself? He did not say this to prove his own wisdom or forethought; but when hon. Members opposite boasted that the second reading had been carried *nemine contradicente*, he wished to point out that it had been carried *nemine contradicente*, because his hon. Friend the Member for the City of Cork believed—though as matters had turned out that belief was seen to have been altogether a delusion—that he would be treated fairly, honestly, and honourably, and that he would get a Commission which would enable him to establish his innocence of charges which affected his reputation and honour. He (Mr. Labouchere) was certain of this, that if hon. Gentlemen did not accept this Amendment—which was really not a question of principle, but a question of detail, although a most important detail in this case—they would stand convicted of having tried, under very false pretences, to induce the House to accept the second reading of a Bill which as it stood was designed, not to discover the guilt or innocence of his hon. Friend the Member for the City of Cork, but to evade the issue and protect *The Times*. As he had said, he could not believe that the Government would refuse to accept this Amendment; but still, if he were mistaken, and the Amendment were not accepted, he would again take upon himself to offer advice to the hon. Member for the City of Cork and his Friends; and his advice would be this—the Commission would be constituted under the Bill; but let the hon. Member and his Friends refuse to appear before it—let them absolutely refuse, and wash their hands of the whole matter. If they were summoned as witnesses, then let them attend; but do not let them have counsel, do not let them examine the men who gave evidence against them, and do not let them waste their money day after day, week after week, and month after month on the inquiry. And, at the same time, he would advise his hon. Friend to do this. The country was only anxious upon one point—namely, as to whether or not his hon. Friend wrote the forged letters. Now, he (Mr. Labouchere) confessed that where politics were concerned he should distrust a Middlesex jury, but so would the right hon. Gentleman the Home Secretary; but if they submitted a simple question of fact to a Middlesex jury as to whether a certain person did or did not write certain letters, his impression was that the jury would not be

biassed by their political feeling, but would give a fair verdict. When, therefore, he said to his hon. Friends that if he were in their position he would wash his hands of the Commission, he said, at the same time, that he would bring an action against *The Times* with regard to this question of the letters, which was the only important point. His hon. Friend would clear his character, he was sure, by following this course. He (Mr. Labouchere) had not yet discovered very clearly what would happen under the Commission; but he presumed that Mr. Walter would go to prison—and when he mentioned Mr. Walter, he referred to him generally as *The Times*, either Mr. Walter or *The Times* would go to prison—for refusing to state whence these letters were procured. But in the event of an action the first step would be to administer interrogatories to *The Times*, and one of these interrogatories would unquestionably be—"From whom did you obtain these letters?"

An hon. MEMBER: They would not be bound to answer.

MR. LABOUCHERE said, an hon. Member said they would not be bound to answer; but he thought that they would be bound to answer such an interrogatory. The plea put in by the hon. and learned Attorney General for not stating the names of the persons from whom *The Times* had obtained the letters was that Mr. Walter or someone imagined that if they did give the names something would happen to those persons who had given them the letters. That was a plea, he imagined, entirely unknown to the law. If men under English law refused to answer interrogatories on such pleas as that, there would be very few interrogatories answered. They could not look into men's minds, and Judges had to act according to the ordinary legal procedure. He thought if hon. Gentlemen would look into the matter, they would find that there were only three reasons for which a person could answer an interrogatory pertinently addressed to him, and amongst those was not to be found the reason that he took it into his head that in this law-abiding country something terrible would happen to the individual from whom he obtained certain information if he disclosed that individual's name. That was a reason totally unknown to English law. Such was the advice he ventured to give his hon. Friend. He did not know whether the hon. Gentleman would take that advice; but if he were in the hon. Gentleman's position, he certainly should act in that way if this Amendment were not accepted. He begged to move the Amendment standing in his name.

Amendment proposed,

In page 1, line 20, at the end of Clause, to add the words—"Provided, that the Commission shall, at the commencement of the inquiry, and before entering upon further matters, inquire and report upon the letters read by the counsel of the defendant in the action of 'O'Donnell *v.* Walter and another,' purporting to be signed 'Charles S. Parnell,' and to have been written and sent by or under the authority of Mr. Charles Stewart Parnell, the signature to which the aforesaid Mr. Charles Stewart Parnell has declared to be a forgery."—(*Mr. Labouchere.*)

Question proposed, "That those words be there added."

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth) said, that a very few words would be necessary from him to state the reason why, notwithstanding the threat of the hon. Gentleman as to what he would think of them if they refused the Amendment, the Government would refuse that proposal. He should confine himself strictly to the question before the Committee, and should not follow the hon. Gentleman into the interesting statement he had made as to the advice he proposed to give to the hon. Member for Cork if the Amendment were not accepted. He hoped the hon. Member would give good advice; but whatever the advice might be, the Government would have nothing to do with it. As to the Amendment, it proposed really to invert or alter and dictate the order of the proceedings of the Commission in an entirely unnatural way. It proposed that the Commission should, at the commencement of the inquiry, and before entering into any other matters, inquire into and report upon the letters alleged to have been signed by the hon. Member for Cork. In the course of the speech delivered by the hon. and learned Attorney General in the case of "O'Donnell *v.* Walter and another," a number of letters were produced. There were, he thought, four letters from

Byrne, four or five said to have been signed by Egan, and six letters signed by the hon. Member for Cork. [Mr. T. M. HEALY: Said to be signed by him.] Yes; purporting to be signed by the hon. Member for Cork—he had not meant to convey by what he had said an expression of opinion as to whether or not the signatures were genuine. These letters did not in themselves constitute charges. If the letters were true, they, no doubt, went far to support some charges made by *The Times* in *Parnellism and Crime*, and in the course of its investigation the Commission would undoubtedly have recourse to every means known to experienced Judges and to the powers which this Bill would put into their hands—and they were ample powers—to find out whether these were genuine documents or not. But they could not dissever the evidence in this case from the issues. He quite admitted that the question of the authenticity of the letters was of great importance, and that the country and the House would attach great importance to the question of whether or not it was true that the hon. Member for Cork had signed them. Those who produced the letters could not say—they would not be allowed to say—that the letters were not important, and that would not have to be pronounced upon them. But it must always be remembered that these letters were produced as evidence in support of allegations made in *Parnellism and Crime*. Hon. Members might be perfectly certain that the Judges would not postpone the investigation of such an important matter as these letters. He did not doubt that the Judges would take such means as they had in their possession of ascertaining whether or not the letters were genuine. But it would be injurious to the proper conduct of the inquiry to direct that the Judges should occupy themselves with those letters separately from the other evidence, and not with the further matters at all. [Mr. LABOUCHERE: No, no!] Yes; that was what it came to. The words of the Amendment were these—

> "The Commission shall, at the commencement of the inquiry and before entering upon further matters, inquire and report upon the letters read by the counsel of the defendant,"

and so on. He submitted that it would be absurd to put such a limitation and instruction into the Bill. The Commission would have ample experience to guide them in the discharge of their duty in this case. It would have ample power given by this Bill, and he was quite sure that confidence might be felt in their ability to deal with the important issue they would have before them. But he submitted that it would be to the detriment of the satisfactory character of the inquiry to fetter the Commissioners in this way, and to select certain bits of evidence from the charges, and require them to report upon those bits of evidence apart from the rest of the case.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton) said, the hon. and learned Solicitor General had set one especially good example at that period in the length of his speech, and he (Sir George Trevelyan) would follow the hon. and learned Gentleman in that example. The hon. and learned Gentleman seemed to have stated the view of the Government, and to have stated it very fairly, and a tolerably strong case it was; but he should like to ask why it had not been stated long ago on the second reading when Member after Member rose in different parts of the House, and especially on that (the Opposition) side, to support the Government and to say that the whole gist of the inquiry was these letters? The Solicitor General, he thought, forgot that the most important of all these letters was not brought forward in support of a charge. All this immense excitement arose from the publication of a certain letter alleged to be signed by Charles Stewart Parnell in *The Times* newspaper. Until that letter was published, there was no sensation on this question whatsoever. That letter was not brought forward in support of any charge. It was a charge in itself; and if the Government did not like the word "charge," they were at liberty to take another word from their own Bill and call it an allegation. But charge or allegation, if it had not been for that letter, the hon. Member for Cork might very well have disregarded all other charges and allegations whatsoever. The speech of the Home Secretary yesterday made the speech of the hon. and learned Solicitor Gentleman a very important one. It appeared now that the letters were to be referred to merely

as pieces of evidence or illustration more or less important upon the general question into which this Commission was to inquire. Since yesterday it was laid down by the Government that the Commission was to inquire first into the history of the Land League, and then into the history of the National League, and it might be that it was not until that enormous branch of inquiry had been exhausted—and how long it might take to exhaust it, and at what expense to the Members whose reputation were at stake, it was impossible to say—that they would come to the letters at all. The letters were the marrow of the whole matter; but the speeches of the Government and the votes of their majority had all gone in the direction of giving an immense and wide scope to the Judges as far as the Judges could have any guidance given them by votes and speeches in Parliament. Therefore, he thought it was extremely important that within the four corners of the Bill itself. Parliament should clearly lay down, in justice to the hon. Members whose reputations were at stake, that in the opinion of Parliament, at any rate, the Judges should first approach these letters, and should approach them as a definite and isolated issue.

MR. SEXTON said, that the Solicitor General (Sir Edward Clarke) dropped—he did not know whether by deliberation or inadvertence—a curious and, as he thought, a most instructive phrase. The hon. and learned Gentleman said that the hon. Member for Northampton (Mr. Labouchere) was endeavouring, by his Amendment, to invert the order of the inquiry. The hon. Gentleman (Mr. Labouchere) asked that the forged letters should be taken first. The hon. and learned Solicitor General said that, if that were agreed to, it would invert the order of the inquiry; therefore, it was evident the Solicitor General was already possessed of information, not possessed by the Committee generally, that the forged letters would be taken last. He watched carefully the speech of the hon. and learned Attorney General in the late trial. Upon the assumption that the Commissioners, unless they were otherwise instructed, would follow the course of the topics dwelt upon by the Attorney General in his speech, the forged letters, upon which the whole country was waiting a decision, would certainly be taken not first, but last. He saw the hon. Member for Oldham (Mr. Elliott Lees) in his place, and that he was attending carefully to the observations he (Mr. Sexton) had the honour of making. He did not envy the hon. Gentleman his reflections when he heard the hon. and learned Solicitor General say that the letters would be taken last. That high-minded Conservative said that the letters were the essential matter, and that the country would regard all the rest of the charges as extraneous. Now, the hon. and learned Attorney General, in his speech in the Court, dealt first with the history of the Land League during the two years of its existence; were they to understand that the Commissioners would follow the hon. and learned Gentleman's course of enumeration, and first of all inquire into the proceedings of the Land League? If so, there were thousands of subjects to be dealt with, and there were the utterances of hundreds and thousands of men in Ireland and America and other parts of the world to be dealt with, all of which were comprised in the history of those two years. Were they to understand that the Commissioners would enter upon an inquiry into that vast body of public action, extending over two years, before they approached or touched the question of the letters? The second topic touched on by the hon. and learned Attorney General was the National League, which covered five years—namely, from 1883, and which extended over Ireland, America, Australia, and other places. Would the Commissioners inquire into the history of the National League before they touched the letters? The third topic upon which the hon. and learned Attorney General discoursed was the assumed relations between persons and organizations in Ireland and persons and organizations in America. They extended over many years; in fact, if they included the Clan-na-Gael and the Fenian Brotherhood, they would open up a body of inquiry to which that contained in Gibbon's *Rise and Fall of the Roman Empire* would be a mere trifle. Now, he challenged contradiction when he said that all the evidence produced by *The Times*, and all the evidence cited by the hon. and learned Attorney General, in regard to the three topics he had specified, depended to the last atom

upon public records. *The Times* cited nothing secret. It could cite nothing secret; because the whole matter depended upon articles, speeches, reports, and paragraphs in the Press. Following the order of the topics laid down by the hon. and learned Attorney General, the Commissioners would inquire into three sets of public questions, extending over different countries and many years, and concerning hundreds and thousands of persons; would inquire into questions depending upon public records before they touched that important and urgent question involved in the letters. *The Times* confessed, on the morning it published the forged letter, that the evidence was what was called published evidence; now, they said, they produced unpublished evidence. On that morning, for the first time, they produced that which could properly form a subject of inquiry. The *facsimile* letter was a trump card, and it was played as a trump card by *The Times* on the morning of the second reading of the Irish Coercion Bill. The dissident Liberals were becoming limp, they needed a tonic, and *The Times* administered a tonic, enabling them to perform their work in the Division of that evening by producing the forged letter. The right hon. Gentleman the Member for the Bridgeton Division of Glasgow (Sir George Trevelyan) was absolutely correct when he said that this letter was the first thing which created any sensation. Out of the publication of the *facsimile* letter grew the debate last year upon Privilege; out of the publication of that letter grew the letter of Mr. O'Donnell and the subsequent action of Mr. O'Donnell against *The Times*. He (Mr. Sexton) attended in Court during the trial of the late action, waiting and hoping to be called as a witness, until the hon. and learned Attorney General decided not to allow the calling of any evidence. The hon. and learned Attorney General's speech, which lasted for 10 hours, excited no interest except and only when he came to the forged letter and what he called "the family of letters" belonging to it. That was the only thing which excited any interest in the jury or in anyone else. *The Times* decided that they would not state the source from which they got the letters. It had suggested that if it did state the source, the person who produced the letter might be in danger of his life. The hon. and learned Solicitor General was the only Minister who had advanced that theory. He could not imagine that the hon. and learned Gentleman could place any reliance on such an argument. To exhibit the document would tell them nothing about the substance that was not already public by the text; the only danger would be with reference to the handwriting. Could the forgery be so badly done that a glance at the letter would exhibit its authorship? Let him put the matter on the lowest possible ground. Would it not be more convenient to his hon. Friend (Mr. Parnell), or anyone interested in his hon. Friend, that the person who fabricated the document should be brought on the Table and compelled to admit his guilt, than that violence should be offered to him. If the letter were genuine, it could place no one in danger; if it were false, and if the origin of the letter was discovered, it was perfectly evident his hon. Friend would rather bring the forger upon the Table, and get the truth out of him before the Commission than do otherwise. He (Mr. Sexton) maintained that the letters were really the only matter of inquiry, and that every honest man in the country who was not already convinced that the letters were forgeries, and there were many who were so convinced, desired to ascertain from this Commission one thing, and one thing above all others, one thing immeasurably superior to all others, and that was, whether the hon. Member for Cork (Mr. Parnell) wrote the letters or not. Let them look at the position in which they placed the hon. Member for Cork. They called the House a deliberative Assembly, they claimed to be men of sense and honour, they knew that the hon. Member's honour was at stake, they knew that his position as a political Leader depended upon the genuineness or otherwise of the letters, and what did they say to him? They said "You must go before the Commission; you must attend in Court day by day; you must watch the whole course of this vast inquiry, because at any moment a charge may be launched against you, and you can never afford to be absent. You and your counsel and witnesses must always be arrayed and marshalled before the Commission." How much would be the

daily cost of the attendance of counsel, and of scores and hundreds of witnesses? As a matter of fact, they would have to hire Olympia for this new Irish Exhibition. They actually expected his hon. Friend, a sane man, to go before the Commission, to sit there day after day, to retain and refresh his counsel day after day, to maintain all his witnesses in London for months, perhaps for years, while they were doing what—examining into records of public speeches delivered in 1879, 1880, and 1881, and every year since; into public records as to the relations between politicians in Ireland and politicians in America; watching, no doubt, for what might occur at any moment. This was a denial of justice, it was a farce. In the classical language of Lord Dundreary, this was a mockery, a delusion, and a snare. No one could expect the hon. Member for Cork to sit before the Commission with his counsel and witnesses waiting for the pleasure of the Commission to close a matter of public inquiry extending over years, and to come at their pleasure to the matter in which alone the hon. Member for Cork was concerned. He did not know what action his hon. Friend would take; but he did know what action he himself would take under the circumstances. If this was to be the order of the inquiry, if the letters, as the hon. and learned Solicitor General conveyed, were to be taken last, and public matter first, he asserted every fair-minded man in the country would repel and spurn that condition; a condition which no man of honour would dream of imposing, and which no man of sense would accept.

MR. PAULTON (Durham, Bishops Auckland) said, he had been very loth indeed to disbelieve the good faith of the Government in this matter; but, he admitted, his belief had been very sorely tried during the last few days. The reason why he was anxious to offer a few observations upon this Amendment, was that he did not think there could be a stronger test of the good faith of the Government than their action upon this Amendment. If the Government or the Party opposite believed the letters to be genuine, and unless they were influenced by considerations which might have been adduced by *The Times*, they could not possibly object to the letters being put in the fore front of the inquiry. He appealed to every fair-minded English Gentleman opposite to say candidly whether, supposing the letters to be proved to be forgeries, they would attach any great importance to other matters which might be brought forward? If that was so, what special objection could they have to the letters being made the first subject of consideration by the Commissioners? Many arguments had been advanced upon the opposite Benches in order to prove that the Government was acting in good faith in endeavouring to make these letters a matter of subsidiary importance in the inquiry; but he himself felt strongly that if the Government refused—well, they had already refused the Amendment—but, if hon. Gentlemen opposite supported the Government in rejecting the Amendment, they must be aware that the main charge against Irish Members was not that which they sought to investigate by means of this inquiry.

MR. MOLLOY (King's Co., Birr) said, he thought the position in which hon. Gentlemen sitting on the Tory Benches opposite found themselves at the present moment was one of an exceedingly unpleasant character. He was fairly entitled to say that nearly every hon. Member opposite, including the Chancellor of the Exchequer (Mr. Goschen), had made use of these letters throughout the country against the Irish cause. The Chancellor of the Exchequer, in a speech in the country, alluded to these very letters in the strongest language, while he did not allude in any strong language to the other charges which had been made by *The Times*. When the *fac-simile* letter was published, a new edition of the pamphlet *Parnellism and Crime* was issued, and Tory Members bought it, and subscribed to it, and circulated it throughout the length and breadth of the land. What was the position in which they found themselves that night? They sat there as hon. Gentlemen, and the first thing hon. Gentlemen did was to fight fairly. Were they going to fight fairly—these hon. Gentlemen who had used these letters, and who had spread them broadcast through the land, who had put them forward in their constituencies in order to gain for themselves support? Were they going now, after having used these letters, and

based their case upon these letters, to support the argument of the Solicitor General, and not allow, as the hon. and learned Gentleman called it, the order of the inquiry to be inverted? Were they going to leave the letters, if not absolutely, at any rate possibly, to be the last thing examined into? Hon. Members opposite found themselves in a very difficult position. They were called upon by this Amendment to act as hon. Gentlemen, and he left it to themselves to decide, after examination into their own consciences, whether, having made this charge the main charge against Members of the House, they ought to vote against the present Amendment. Hon. Gentlemen opposite would, he thought, give the best evidence of what their idea of honour was by the manner in which they voted upon this Amendment. He remembered that last year the hon. Member for Derry (Sir Charles Lewis), now the hon. Member for North Antrim, moved for the appointment of a Select Committee to examine into the charges which had been made, the very same charges which were now being dealt with. The Members of the Government, in their speeches, practically admitted they were willing to appoint such a Committee; at first they offered no dissent to the proposition of the hon. Member (Sir Charles Lewis). One Member of the Government rose and asserted that the proposed inquiry would be an examination into a minor point only. For two days and two nights they discussed whether a Committee should be appointed to examine into what was said to be a minor point. The Chancellor of the Exchequer (Mr. Goschen) asked what would be the use of the examination if the letter were not to be inquired into? His hon. Friend the Member for Cork (Mr. Parnell) was at that time at death's door at his seat in Ireland. Those who knew the circumstances knew that many Members of the House never expected to see the hon. Member return, so dangerous was his illness. He was telegraphed to, and, after the Government had stated that their only objection practically to the appointment of the Committee was that the letter was not to be included in the matters to be referred to the Committee for inquiry, a telegram was placed in the hands of the right hon. Gentleman the late Chief Secretary for Ireland (Mr. John Morley) from the hon. Member for the City of Cork, in which that hon. Gentleman stated that he was willing and anxious for the letter to be brought before the proposed Committee. The point he (Mr. Molloy) desired to make was that during the whole of that debate, extending over two days and two nights, the objection taken by the Government to the appointment of the Committee was that the real and the essential matter which ought to be inquired into was the authenticity of the letter, the *fac-simile* of which had appeared in *The Times*. [Sir EDWARD CLARKE dissented.] The hon. and learned Solicitor General now shook his head, but he (Mr. Molloy) remembered perfectly well what occurred. A most effective and dramatic close of the debate was the production of the telegram from the hon. Member for Cork by the right hon. Gentleman the late Chief Secretary assenting to the reference of the letter to the Committee. Everyone who heard the debate would remember the jeers when, all concessions having been made to the Government, they refused the Committee on a totally new ground. It was the honour of hon. Gentlemen opposite that was at stake in this matter. This was a matter in which hon. Members could follow the arguments of no one; every man must judge for himself in a case of the kind, and he and his hon. Friends would closely scrutinize that night the votes of hon. Gentlemen who were always speaking about their desire to do everything which was fair and honourable. They would closely scrutinize the votes in order to see whether those Members who used the letters as the principal charge against the Irish Members were now going to give a vote by which those letters might be relegated to an examination twelve months hence, for no other purpose, as far as he could see, than that a cloud of obscurity might be raised in the way of the real issues of the case. The hon. and learned Solicitor General (Sir Edward Clarke) had alluded to the inversion of the order of evidence. Now, they had been told over and over again in the debate that the Judges were to decide all these matters; yet it appeared from the observations of the hon. and learned Solicitor General that there was an order fixed in the minds of the Government. [*Cries of* "No, no!"]. Then, if there

was not, what right had the hon. and learned Solicitor General to talk of inverting the order of evidence?

SIR EDWARD CLARKE said, he had known his hon. and learned Friend (Mr. Molloy) quite long enough to know that he would not intentionally misinterpret what he had said.

MR. MOLLOY: Do you think I would?

SIR EDWARD CLARKE said, he was saying that he had known the hon. and learned Gentleman sufficiently long to know that he would do nothing of the kind. He (Sir Edward Clarke) spoke of these letters as being evidence in support of the charges; he said that they were very important, and that in dealing with the charges the Commissioners would deal with them. He added further, that they would invert the order if they insisted upon the Commissioners dealing with the letters before they addressed themselves to the subject upon which they were entering.

MR. MOLLOY said, that he had known the hon. and learned Gentleman for very many years, and he certainly did not mean to insinuate any charge against him; he was dealing with the hon. and learned Gentleman's argument, and with his argument alone. What he was contending was that in the mind of the Government, as in the mind of the Solicitor General, there must be some kind of order as to the evidence, otherwise they would not talk about inverting the order of evidence. The second expression used by the Solicitor General was the disseverance of evidence. He (Mr. Molloy) found it rather difficult to understand what was the meaning of the phrase "disseverance of evidence." It sounded very similar to the expression so often used by Tory Members, the "disruption of the Empire." What was "disseverance of evidence;" what did it mean? Whatever the hon. and learned Gentleman did mean, he (Mr. Molloy) would make a proposition which would get over any idea of disseverance of evidence. If the letters had reference to anything at all, they had reference to a certain murder or murders, and he admitted at once, and his hon. Friends around him would admit at once, that if they examined into the letters the examination must be thorough and clear and full. But it would be monstrously absurd, it would be childish, to argue that they should examine into letters without examining into that to which it was alleged the letters referred. Now, would the Government agree to a modification of this Amendment to the effect that the murder or murders to which these letters were supposed to have reference should be the first matter for inquiry? He put it to the Chancellor of the Exchequer, and asked him for an answer. It was useless to talk about the general character of this examination; the House was merely concerned in the honour of its Members, the rest was a secondary matter with the House. This action was taken with regard to the honour of the Members of the House. When the hon. Member for the City of Cork asked for a Committee, he asked for it on the ground of these letters; he said that the letters were forgeries, and he asked for a Committee to inquire into them. In reply to that the Government had given him this Commission. The only sense in which the case was now altered was that, instead of a Committee of the House, there was to be a Commission of three Judges. He did not like to make accusations, but he was bound to say that it would be very difficult for anyone who had listened to the debate, and had seen what the action of hon. Members had been during the last two years, to believe in the honour and *bona fides* of the Government if they refused this Amendment with the modification he had suggested.

SIR WILLIAM HARCOURT (Derby): It has been stated on both sides of the House to-day that the final judge of what we are doing will be the country, and I venture to say that there is no issue upon which the judgment of the country will be more gladly taken than it will be upon the conduct of the Government in regard to this Amendment. Now, what is the situation in reference to the Irish Members of this House, and what is the situation of the Government? The Irish Members, as they say, have been foully and calumniously assailed by the charges of forged letters in *The Times* newspaper. They demanded of this House redress by what was considered the ordinary and Constitutional method—namely, by a Committee of this House. That was refused by the Government; but they offered the Irish Members specifically in its place a remedy for the evil and wrong under which they suf-

fered. They offered it to them, in the language of the hon. and learned Solicitor General, as an act of unexampled generosity. We are now able to judge, and the country will be able to judge, of what the Government understand by "unexampled generosity" to their political opponents in respect of charges of the most heinous and the most injurious kind which the Government themselves, aye, and, above all, my noble Friend the Member for the Rossendale Division of Lancashire (the Marquess of Hartington), have used individually against the Irish Members. My noble Friend, more than anybody else, has vouched for *The Times*—perhaps vouched is too strong a word to use; but he has said that these were charges which men were bound to meet. Well, here are these men so charged before that Commission which you have created for them, as you say "an act of unexampled generosity;" and what they demand is this—that the first and principal inquiry—I will not say sole inquiry, or even the main inquiry—of this Commission is to look into those letters which would cover them with shame if they were true, and which were infamous if they were false. They ask that that shall be the first inquiry, in order that they may clear their characters as Members of the House of Commons. Do you want them to clear their characters? If you refuse this Amendment, the country will come to the conclusion that the principal object is to blacken their characters, and that what you are trading upon are these calumnies which you have adopted; that what you desire above all things is to postpone the day when these calumnies shall be proved to be false. What is it the hon. and learned Solicitor General says? The Home Secretary said, yesterday, that the conduct of the Irish Members was not the main object of this inquiry, and to-day we have had a speech from the Solicitor General; and, mark you, what the Solicitor General says in this House, the Attorney General is going to say before the Commission. All the arguments which the Solicitor General has used here to postpone the hour at which the Member for Cork and his Friends can come forward and clear their characters will come from the mouth of the Attorney General as counsel for *The Times*, backed up by the authority of Her Majesty's Government. I say that if you refuse this Amendment, there is but one conclusion, and one conclusion only, at which the country will arrive, and that is that you desire, as long as you can, to give currency and support to these calumnies. What other object can you have in refusing this Amendment? It has been said that the Amendments proposed have been proposed for the purpose of limiting this inquiry. Yes; of limiting, how? Have they happened to limit it in the sense of the Members escaping from this inquiry? No; they have demanded that this inquiry shall be concentrated and focussed upon themselves. That is the demand they have made. There has been no attempt on their part to say—"Inquire into something else, and do not touch us." On the contrary, they have said—"It is we who stand here as the persons who desire to have an opportunity of clearing our characters of these charges." Aye, and whatever you may say to-night, whatever you may vote to-night, depend upon it that it is the opinion of this country. If you think that the people of this country approve of your endeavour to blacken the characters of your political opponents, you are sadly mistaken. I know, aye, and the people of Ireland will have to know, that the men against whom you encourage calumnies here, are the men who are most welcome to the people of that country. I know that the men that you are endeavouring to destroy by adopting these calumnies of *The Times*—

MR. GOSCHEN: May I ask whether it is in Order for the right hon. Gentleman to say we are adopting the calumnies of *The Times*?

THE CHAIRMAN: It is against the practice of the House to impute such things to hon. Members.

MR. MURDOCH (Reading): Mr. Chairman, I beg to call your attention to a remark made by the hon. Member for Mayo—namely, "You are afraid to hear the truth!" I should like to know whether such a remark is in Order?

THE CHAIRMAN called upon Sir William Harcourt to proceed.

SIR WILLIAM HARCOURT: We are certainly bringing the closure

and the gag to excess. We shall destroy all freedom of debate if we cannot tell the Chancellor of the Exchequer that he is afraid to hear the truth. If that is so, we may as well give up debate at once. Well, I am extremely glad of the interruption of the Chancellor of the Exchequer. I am extremely glad that he is sensible of my criticism, that he is ashamed of the calumnies of *The Times*, and that he considers it a shameful imputation on the Government to say that they have adopted them. I hail that as a proof of repentance on the part of the Government; but I maintain that what will be looked at by the country is this. Do you or do you not intend that the Irish Members shall have an opportunity, aye, and a complete and full opportunity, of meeting these calumnies which have been urged against them? I can understand a man—I will not say the Chancellor of the Exchequer or the Government—who believes in his mind, and who knows from the sound advice he has received from men who have every opportunity of examining the case, that these statements are forgeries, I can conceive a man, who had been so informed by persons who had every means of knowing, thinking that the latest moment would be the best on which these forgeries could be inquired into. That I can well understand; but if there be any man with a sense of honour who can understand the feelings of men—I will not say his Colleagues in this House, because I cannot say that I see any disposition on the part of hon. Gentlemen sitting opposite to treat the Irish Members as if they were Colleagues in this House; indeed, the theory of the Union seems to me to be, that the men who have no right to any opinion or any views on any subject, especially upon Irish subjects, are the Irish Representatives. [*Cries of* "Oh, oh!"] Well, the principle of the Unionists is that if an Irishman dares to express an opinion upon English subjects, it is obstruction, and that his mouth is to be closed upon Irish subjects. [*Cries of* "Question!"] You voted the closure earlier in the evening. I do not, therefore, appeal to hon. Gentlemen opposite to treat their Colleagues with any generous respect. That, I do not think, can be asked from them; but what we have a right to ask is that they should extend, even to an Irishman and a Representative of Ireland, that justice which would not be refused to the meanest criminal in this country. [*Laughter.*] There is a Gentleman opposite who thinks it absurd that an Irishman should get as fair treatment as is extended to the meanest criminal in this country. This manner of treating Irishmen and the Representatives of Ireland is really the secret of the agitation in Ireland towards the Government of England. Do you really believe that if an English Member were charged with a crime for which you say he ought to be expelled from this House, you would seek about and be ingenious in your research to prevent methods by which he might vindicate his character? What is the argument of the hon. and learned Solicitor General. He says that to allow this to be brought forward in the front rank would be to invert the order of procedure. That statement he has repeated twice. That, I say, is a statement upon which the conduct of the Government will be judged by the country. The hon. Member for Oldham (Mr. Elliott Lees) expressed the other night the real opinion of the country. I believe they want to know whether the charge about these letters is true or not. That is the first thing in the mind of the country, that is the last thing in the mind of the Government. The Government want to go into some general dirt throwing which shall affect the issue. Why do they want to do this? Because they have received advice from people who know that this charge cannot be sustained. They know very well that if this charge were refuted all the rest would fall to the ground. That is what the hon. Member for Oldham said the other day, and that is why the Government are so desirous to keep the charge in the background. That is why the words "other persons" were introduced. It was to prevent the investigation of the charges against the Irish Members being the first and the principal charge which should be undertaken; it was to prevent their receiving that justice they were entitled to from this House in the appointment of a Commission, which was said to be an act of unexampled generosity towards them. I protest against such a course as this. The Government might have said—it would have been a plausible argument—"We leave it to the Commissioners to deter-

[*Fourth Night.*]

mine." But they have not said that. The hon. and learned Solicitor General has explained the course which the Commissioners are expected to take. He has told us what is the proper course, and that that is not to take these letters first, but that they are to go into the whole general question. [An hon. MEMBER: Hear, hear!] That, I understand, is the view of an hon. Gentleman opposite. This charge against the honour of Irish Members is to be dealt with as a subordinate part of a subordinate question. I venture to say that when the country comes to understand that that is the view taken of this Commission, they will regard it as an act of gross unfairness and of most incredible injustice.

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): I will give the right hon. Gentleman the Member for Derby (Sir William Harcourt) as little assistance as possible in the intention he evidently has to talk out this Amendment.

MR. T. M. HEALY: I rise to Order. I wish, Sir, to call your attention to the Rule under which we are operating, which says that you shall put the Question under discussion when we arrive at the hour of 1, and would ask you whether there is any possibility of talking out this Amendment, and I wish to ask you whether the noble Marquess has not alleged that which is absolutely impossible?

THE CHAIRMAN: That is not a question of Order.

THE MARQUESS OF HARTINGTON: I am going to give as little assistance as possible to the endeavour to unnecessarily protract the discussion on any particular Amendment, and thus give hon. Members no opportunity of saying to the country, as we have so often been told they are going to say, that we have adopted a course to-night which prevented important Amendments being discussed. Now, after the speech of the right hon. Gentleman, I cannot avoid saying that his observations throw a remarkable and rather instructive light upon the sort of tactics which are being pursued by the Opposition in regard to this Bill. The right hon. Gentleman has thought it necessary, in the discussion of an Amendment relating to certain letters which are on this side of the House called forged letters, to drag in my name. He said, in the first place—although he afterwards rather modified or withdrew the expression—that no man was more responsible than I myself was for having vouched for these charges. He withdrew the word "vouched" and said that no one was more responsible for giving currency and circulation to these charges than myself. Now, so long as I am able to charge my memory, I have never, inside this House or out of it, said one word upon the subject of what is called the "forged letters." I have only, so far as I can recollect, referred on one occasion to the articles published in *The Times*. I spoke in the debate upon the Crimes Bill more than a year ago, on the very day upon which the so-called "forged letter" appeared in *The Times*. I referred to some of the charges which were contained in this so-called "forged letter," and charges which, in my opinion, called for an answer from the hon. Gentleman to whom they referred, and I pointed out, I believe, that the hon. Gentleman had, in my judgment, an opportunity of giving them refutation by means of the ordinary Courts of Law. But, in those observations, I never referred for a single moment to the letter which has been referred to, and I have never referred to it since. [Mr. T. P. O'CONNOR: Why!] Why! I do not know that it is necessary on this occasion I should go into my reasons for not referring to it. I want to know for what reason, for what purpose, and with what justification, my right hon. Friend thinks it necessary to drag in my name into this discussion in respect of letters to which I have never in the course of these discussions so far referred? [Mr. T. M. HEALY: You were closeted with Smith.] Having made that statement, which I believe cannot be contradicted, I do not think it is necessary I should detain the House by saying anything on the question of the Amendment; but I may say this—it has never occurred to me that the question of the letters was the main question which has been raised in *The Times* articles. If I thought it, I should have referred to the letters. On the contrary, I have never done so. I endeavoured on the occasion I refer to, to state what, in my opinion, were the issues raised by these letters. The question of the letters refer to the hon. Member for Cork alone. Many of the charges which are contained in these

letters refer to other hon. Members besides the hon. Member for Cork, and I am certainly unable to see why the beginning of the Commission should be fettered by instructions which would compel them to go into a question which affects only one Member of this House, leaving to future consideration equally important questions in my opinion which affect the honour and character of a great number of others. If the Committee have confidence in the tribunal which is created under this Bill, it appears to me its best course would be to leave the tribunal free to conduct its own proceedings in a manner most competent to it. We know that some hon. Members have not got confidence in the Commission, that they have protested against the appointment of one of its Members; but the great majority of this House have confidence in it, and under what pretext do you expect that we shall, by voting an unnecessary Amendment, place that confidence in the tribunal which we feel the Commission will, I should think, be the best judge of the manner in which its proceedings should be conducted. I do not say the question of the forged letters can very long be kept out of its proceedings; but I do not know for what reason it is necessary that instructions should be given to the Commission which will in any way fetter the course of its proceedings. It is perfectly idle to say that instructions to examine into this or that question are being given by speeches of Members of Parliament. The Commission, if it is worthy to inquire into these questions at all, will act upon its own judgment and upon the instructions which are contained in the Bill, and upon no other instructions. Do hon. Members suppose that men of the judicial eminence of those who have been appointed to conduct this inquiry are going to take their instructions and directions from speeches which are delivered either on the Treasury Bench or from any other Bench? It is perfectly idle to contemplate such a course on their part; and, believing that it would be simply to show distrust in the competence of the tribunal we are creating, I, for one, shall certainly refuse to vote for the Amendment.

MR. ILLINGWORTH (Bradford, W.) said, the noble Lord the Member for Rossendale (the Marquess of Hartington) occupied a very peculiar position in that House; they knew that he occupied a predominating position in the policy of the Party opposite. He was surprised at the line the noble Lord had taken in the speech just delivered by him. He remembered the speech to which the noble Lord had just referred, and he recollected well that he did make reference to the hon. Member for Cork (Mr. Parnell) in that speech, and seemed to think that it was essential that the hon. Member should avail himself of an opportunity of clearing himself from the charges made in *The Times* newspaper. The hon. Member for Cork and his Colleagues had been seeking for an opportunity of dealing with this charge, and asking that their case might first be dealt with; but the noble Lord treated that part of the question now as a very small matter, and that the letters would more properly be referred to an uncertain future, when, after a number of things which had nothing to do with the charge had been dealt with, the hon. Gentleman and his Friends might then proceed to clear themselves. He could only say that he thought more might have been expected from the noble Lord's position. [Mr. T. M. HEALY: No, no!] He said that in a sense of fairness to the noble Lord, and he confessed that in the speech the noble Lord had just made, which contained his first utterance all through these discussions —[The Marquess of HARTINGTON dissented.] Well, if the noble Lord had taken a general part in the debate, he (Mr. Illingworth) had, unfortunately, been absent. However, the noble Lord had given the Committee so little information with regard to this question, he thought if he had followed the old traditions of the Whigs in that House he would have said something that would have really maintained the old Constitutional system — namely, that when hon. Members were placed under an imputation they should be treated in the old-fashioned way, instead of, as now, being subjected to a revolutionary change such as they were subjected to by the action of the Government. Time would show whether it was to the advantage of the old order of things and the Constitutional Party in that House, and he must say that the noble Lord's speech

that evening had been eminently disappointing, and that the Committee had a right to expect from him something of a very different character.

MR. FINLAY (Inverness, &c.) said, that so far as he understood the argument in favour of the Amendment, it was that the hon. and learned Solicitor General had laid it down in his speech that the letters were to be relegated to a later stage of the inquiry. Now, he had heard his hon. Friend's speech, and he certainly did not understand the hon. and learned Gentleman to say anything of the kind. The hon. and learned Solicitor General stated his view of the letters; but he apprehended that the hon. and learned Gentleman understood too well what the proper functions of the Government were in this matter ever to have dreamed of prescribing to the Commission what the course and order of their proceedings should be. Of course, those proceedings were not in the hands of the Government; they were in the hands of the Judges themselves, and it was for them, and for them alone, to direct in what order the inquiry should take place. Now, he had listened with great interest to the speech of the hon. and learned Member for the Birr Division of King's County (Mr. Molloy). The hon. and learned Gentleman had felt, as every member of the Bar must feel, that this Amendment was perfectly and hopelessly impracticable, because he did feel, and had expressed that feeling in his speech, that some other Amendment was wanting, and that it would be necessary to provide in some way or other that the Commission should be at liberty, before determining on the genuineness of these letters, to take evidence relating to other matters. But the hon. and learned Gentleman did not attempt to put into the form of an Amendment the evidence which it would be necessary that the Judges should take, and he apprehended that the hon. and learned Gentleman in trying to amend the Amendment before the House, which he knew to be hopelessly impracticable in its present form, felt that he had undertaken an absolutely impossible task. He (Mr. Finlay) apprehended that the letters must necessarily occupy an early and prominent place in the inquiry of the three Judges; but he submitted to the judgment of the Committee that it would be absurd to require the Judges to make an interim Report on the question of those letters—[*Cries of* "Why?"] For this reason, that they should, in determining the genuineness of the letters, have evidence before them as to the relations between the hon. Gentleman who was said to have written them and the various parties who were said to have received them. [Mr. W. E. GLADSTONE: Hear, hear!] The right hon. Gentleman the Member for Mid Lothian cheered that statement. Did he desire to put the Judges in the position that one day they should make an interim Report as to the genuineness of the letters, saying that they were not genuine, when the next day they might have evidence before them which totally altered their minds? He declared in all seriousness that a more absurd proposition was never made.

COLONEL SAUNDERSON (Armagh, N.) said, he had hesitated a long time before he determined to take any part in the debate, for the reason that he felt that the House might look upon him as a prejudiced person in this matter. He had already stated both in the House and out of it his opinion of hon. Gentlemen below the Gangway opposite.

MR. SEXTON: Well, you had better not state it now.

COLONEL SAUNDERSON: Whatever crime or misdemeanour hon. Gentlemen might ascribe to him, they could never ascribe to him this, that he had been afraid to say before their faces in the House what he had said outside the House behind their backs. He had determined to say a few words on this question, because it not only affected hon. Gentlemen below the Gangway but also the whole question upon which the prosperity of Ireland and the settlement of the Irish Question depended. The right hon. Gentleman the Member for Derby (Sir William Harcourt) stated that the Government had adopted the words of the calumnies of *The Times*. But *The Times* was not the only calumniator of hon. Gentlemen opposite, for foremost among their calumniators stood the right hon. Gentleman himself—the right hon. Gentleman who had just left the House.

THE CHAIRMAN: I would ask the hon. and gallant Member to remember the conditions under which we are

acting, and the desirability of addressing himself to the Amendment before the Committee.

COLONEL SAUNDERSON said, that all the Amendments which had been introduced to the notice of the Committee had a family likeness; all of them had one object, and that was to hinder and hamper the action of the Commission which it was proposed to establish. [*Cries of* "Order!"] He asked any dispassionate Gentleman in the House whether any Amendment, including that under consideration, had had for its object to assist the Commission in a wide, free and far-reaching inquiry? With regard to the Amendment they were considering, he would say that, important as the hon. Member for Cork might be in the eyes of his Party and of hon. Members on the opposite side of the House, the forged letters, as they were called by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) before he had taken the trouble to find out whether they were forged or not—those letters, which might be forged or not, affected the character of the hon. Member for Cork; but there was something far more important which they affected, and that was the character of the Party to which he belonged, that Party which commenced the policy which had now been adopted by its present Radical allies. He could not conceive anything more unfortunate, if they were to have the Commission, than to hamper and fetter it by stating that the first thing the Commission was to do was to state whether the hon. Member for Cork had signed those letters or whether they were forged. During the course of that discussion hon. Members on the other side of the House had on various Amendments pointed out that the scope of the Commission, if it were to be unfettered, should not only include the action of hon. Members opposite and the truth and falsehood of those letters, but that it should also include the course that had been pursued in Ireland by himself and other Loyalist Leaders in the country. [*Laughter.*] Hon. Members opposite might laugh, and though his observations might not be absolutely germane to that Amendment, yet it was just as germane as the accusations that were hurled at him from the other side of the House on other Amendments; and, therefore, he thought it was only fair play that he should be allowed to answer those accusations. The hon. Member for Cork and his Friends had stated that their one great desire was that there should be a full inquiry as to their guilt or innocence. They said that inquiry should be extended beyond them and include speeches made by himself and the noble Lord the Member for South Paddington (Lord Randolph Churchill), which they said had just as much relation to bloodshed and crime in Ireland as any action of theirs.

THE CHAIRMAN said, he would again ask the hon. and gallant Member to address himself more closely to the Amendment before the Committee.

MR. W. REDMOND (Fermanagh, N.) asked whether the hon. and gallant Gentleman was in Order in referring to a speech of his in that debate.

COLONEL SAUNDERSON said, the country—that country to which the right hon. Gentleman the Member for Derby (Sir William Harcourt) was so fond of appealing—would judge of the character of the Amendment, and whether the object of hon. Gentlemen opposite was really to have a full and unfettered inquiry as to their innocence or guilt. With regard to the letters he could only say that in the course of any speeches he had made — and he was sorry to say he had made a good many—he had never treated those letters as genuine or as false, because he had never seen the evidence that could be produced on the one side or the other; and, although hon. Gentlemen opposite occasionally found fault with him for the accusations he made against them, he had never in that House or elsewhere made accusations without giving a definite reason generally from speeches made or things done by themselves. But the authenticity or unauthenticity of those letters was quite beyond his knowledge. *The Times* stated that it could prove their authenticity, and the hon. Member for Cork had been unwilling to avail himself of the means to vindicate his character before a Court of Law. Therefore the only reason why, in his own mind, he had thought there might be something real and genuine in those letters was that the hon. Member for Cork, although he declared they were clumsy forgeries and therefore could be easily disproved, had never ventured to test that question before a British jury.

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Why should they give such prominence to those letters? Those letters, undoubtedly from the point of view of *The Times* newspaper, occupied a first place; but he denied absolutely that the letters occupied a first place in the eyes of this country or of Ireland. The question that occupied the first place in the eyes of this country and of Ireland was the character of the men to whom the right hon. Gentleman the Member for Mid Lothian proposed to entrust the destinies of Ireland; and, that being so, why should the House compel the Commission to deal first with what he maintained this country and Ireland, as he knew, looked upon as a very secondary matter? Hon. Gentlemen opposite had shown very clearly what they feared most when the Commission was appointed. It was not the letters, because they knew and everyone knew that it was almost impossible to absolutely prove the authenticity of a letter. [Mr. SEXTON: The murder is out.] He had always looked upon these letters as of secondary importance to those other accusations which the hon. Member for Cork and his Friends had shrunk, and still shrunk, from meeting. Why did they devote so much of their time and attention to debating the question of "other persons?" What logical reason did they give that "other persons" was really the crucial point that would come before the Commission? He denied that these letters had ever been in the eyes of the hon. Member for Cork and his Friends the dangerous cloud which loomed in the distance and which they feared. He did not believe that the Committee would accept the proposal now before it. They were about to establish a Commission to examine into the whole question as to whether hon. Gentlemen had or had not been guilty—it was an inquiry, not simply into the character of one hon. Member, but into the character of a whole Party. That was the view which was taken in Ireland. It was proposed that those men should be their rulers, and their answer was "examine into their characters." The question to their minds was not only whether one Member of that Party had written the letters which were called forgeries, but whether hon. Gentlemen opposite had or had not been in direct trade and communication with criminals and crime. He had used that argument in that House, and he had used it in the country as the strongest argument against ever trusting the destinies of Ireland to their hands, and he said that if this Commission was to settle that point, they must take the whole question and deal with crime as a whole, and not take up part of the question only as they now proposed. If it were found, as he acknowledged it might be found, by the Commission, that the hon. Member for Cork, in its opinion, had not signed those letters, he readily admitted that he knew nothing of the evidence that *The Times* might have to prove them; but should the Commission decide that the hon. Member for Cork had not signed the letters it would not alter one iota of the objections they had urged over and over again in the House and in the country to placing Ireland in the hands of those who had shown by their actions in the past what their actions in the future would probably be. He had longed for the day to arrive when these questions should be cleared up once for all, and it should be decided whether the allegations that had been made over and over again in the House and in the country and before the world were founded on fact or whether they were absolute delusions. He looked forward to the time when this question should be set at rest. There was a law which could never be broken or destroyed—it was of eternal application — namely, "Whatsoever a man soweth that shall he also reap," and if this Commission, which they were about to appoint, decided that hon. Gentlemen opposite have sown honour and right and truth, they would reap their reward; but if, on the contrary, it decided that they had been connected with crime, they then would reap the condemnation of their fellow-countrymen, and they and their cause and their allies above the Gangway would justly fall in crumbling ruin together.

MR. T. M. HEALY (Longford, N.) said, that the noble Lord the Member for Rossendale (the Marquess of Hartington) as the confederate of the Government and their chief supporter, had accused the right hon. Gentleman the Member for Derby (Sir William Harcourt) with great virulence of attempting to talk out the debate, but he observed that the followers of the noble Lord and his confederates across the House were

quite willing that the hon. and gallant Member for North Armagh (Colonel Saunderson) should talk as long as he liked, and not only so, but that the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) should give his views upon every Amendment that was brought before the House. They had very few hours to spare, and he (Mr. T. M. Healy) would therefore beg the noble Lord the Member for Rossendale to ask his followers like the hon. and gallant Gentleman opposite (Colonel Saunderson) and the hon. and learned Gentleman behind him (Mr. Finlay) just to leave the Irish Members a little time, and that, at any rate, if charges of obstruction were to be made by Gentlemen in his position, they should be made with some relevancy, and he would add with some decency. It was a great misfortune that the noble Lord and his confederates were actually unable to agree about what this Commission had to report. They saw the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) conferring with the noble Lord, and they had heard the speech of the hon. Member for Oldham opposite (Mr. Elliott Lees). To-night the noble Lord told them that he had never alluded to these forged letters—that he had never thought them of sufficient importance. What the noble Lord was so anxious for was, that these letters with other matters should be inquired into, but he had never lent the weight of his powerful name to the examination of these letters alone. But what said the right hon. Gentleman the Member for West Birmingham and the hon. Gentleman the Member for Oldham, opposite? Why, they said that if these letters were disproved, the public would think very little of all the rest, and it was upon that basis that the Government carried the second reading of the Bill. It was upon the implied promise of the right hon. Gentleman the Member for West Birmingham, and upon the direct request of the hon. Member for Oldham, that if these letters got a fair front place, and the Irish Members were able to disprove them, then all the rest would go by the board, that the Irish Members had consented to the second reading. But not only so. The noble Lord said that he was extremely anxious that the worst of these letters should be inquired into, and yet he was one of those persons who were the parties, he presumed, with Leycester and Walter and *The Times* and the right hon. Gentleman the First Lord of the Treasury, to whom they owed the conversion of this scheme to turn the offer of the Government of a Commission to inquire solely into the conduct of Members of Parliament as a scheme which they must either accept or reject with the present Bill. The noble Lord the Member for Rossendale must have agreed to this scheme, because without his consent or knowledge it could not have been conducted. The noble Lord now came forward and said that he did not attempt to put these letters in the forefront of the inquiry—that he had never alluded to them—and he was supported in that by the hon. and gallant Member for North Armagh; and what was the reason of this? He (Mr. T. M. Healy) had felt for the counsel of *The Times* when these important declarations were being made—he thought the hon. and learned Gentleman looked very sick. It would appear that the ground was crumbling under the feet of the conspirators, and that, finding that out, they desired to shift their position. It was no longer the letters they relied upon—it was the speech of the hon. Member for Cork (Mr. Parnell) or the hon. Member for Ennis in October, 1880, and it was Boycotting, it was the Chicago Convention, it was anything except the definite matter to which the Irish Members wished to pin their accusers, and that was the course taken by "The first Gentlemen in England"—all hon. Members. Having carried the second reading of their Bill, unanimously as they boasted, by the help of the speeches of the right hon. Gentleman the Member for West Birmingham and the hon. Member for Oldham—speeches declaring that if these letters were disproved the public would think nothing of the other charges—they found it desirable to shift their ground and to declare—as the Irish Members always expected they would declare—"Oh, we thought very little of the matter. These are secondary matters, these charges against Members of Parliament themselves, and what we want to get at is what Paddy O'Rafferty did in the county of Kerry or what somebody else did in the county of Donegal. As for these Members of Parliament, they are not half so important as the action of those people

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who send them here." Well, he (Mr. T. M. Healy) put it to the Committee as serious men, did they think the country would be fooled by declarations of that kind? No doubt, they thought that the 86 Irish Members sitting on those Benches would escape from the reflections which might be cast upon them by the Commissioners. Did they think that the country would care for what Paddy O'Rafferty did in the county of Kerry in the year 1880? It was only because the Government believed that these letters, which were in the forefront of these proceedings, were false and forged that they were changing their ground. He did not believe that Walter of *The Times* would be very much obliged to the hon. and gallant Member for North Armagh for his declaration to-night. He (Mr. T. M. Healy) was extremely sorry that the Chairman had found it necessary to call that hon. and gallant Gentleman twice to Order in the course of his speech, because the hon. and gallant Gentleman was just about to go into his quotations. He had been just rounding the Cape of Good Hope. The hon. and gallant Gentleman without his quotations was a very dull person indeed. They had heard all the rest of his speech several times before, and therefore he would bespeak at the hands of the Chairman for the hon. and gallant Gentleman the Member for North Armagh the utmost consideration, so that the House might be never again deprived of the benefit of his quotations. Now, the Irish Members knew exactly the position in which they found themselves to-day, and when hon. Gentlemen opposite had created—or, rather, he would say set this mountain in labour, he would tell them this—that however much they might think they had the Irish Members trapped, yet the hon. Member for the city of Cork would only have to lift up his little finger and they would not be able to get a man in Ireland nor a single one of the 86 Members of the Irish Parliamentary Party to go before the Commission. True, the Government might put them in gaol, but they had been there before. The cause of the Government would be prettily advanced by such a course as this. The noble Lord the Member for Rossendale had done his best to keep the Irish Members in gaol, and had been a Member of the Cabinet who had sent them there, and he assumed this passive position with regard to these contemptible letters thinking that he had got them safe. No doubt the Government of right hon. Gentlemen opposite was conducted with geniuses. The right hon. Gentleman the First Lord of the Treasury was a genius; all his Colleagues were geniuses, and hon. Gentlemen opposite who were supporting the Government in refusing to put these letters in trim for examination no doubt thought they were doing a very clever thing. They thought they were doing a very clever thing in refusing this Amendment, and in arranging that the Commission should inquire into the charges of murder which they had heard of a thousand times already, and into cases of Boycotting—into cases where a poor woman had been deprived of a midwife, and where, too, according to the right hon. Gentleman the Chancellor of the Exchequer, a sick child could not get white flour—all these things it would be delightful to have over again; but if they would allow him to say so, he would point out to them that they were playing this game with men who were just as clever as they were themselves, and when the hon. and gallant Gentleman the Member for North Armagh said that what they wanted to know was whether these letters were forged or not—whether the hon. Member for Cork and his Friends were assassins or angels, as he was unwilling to trust the liberties of his fellow countrymen to persons of that description——

COLONEL SAUNDERSON: I never said they were angels.

MR. T. M. HEALY said, he had never imputed it to the hon. and gallant Member for North Armagh—the hon. and gallant Member had not even said that they were fallen angels. When the hon. and gallant Member said that it would not make the least matter to him what was proved against the hon. Member for Cork and his Friends, or what was proved in their favour——

COLONEL SAUNDERSON: I never said anything of the kind. I said it would not affect us in the least if the letters were proved to be false or if they were proved to be true.

MR. T. M. HEALY said, that with his feeble intellect he was vainly endeavouring to give expression to that view. According to the hon. and gallant Gen-

tleman, it would not affect him in the least if these letters were forged or were not forged. Very well, but would it or would it not affect Walter and *The Times?* That was the point. Would it affect the Government or not? Would it affect the hon. and learned Attorney General or not? And did they mean to say that if they believed these letters were not forged that they would not endeavour to thrust them down the throats of the Irish Members on the very day the Commission sat? As a matter of fact, what they wished to do was to hoodwink the public, and what the Irish Members proposed to do was to expose the manœuvres of the Government to the public. He wished to know whether it was intended to keep this Commission running as a kind of counterbalance to the Coercion Act and to divert the public mind from the real point in the hopes perhaps that the question of the forged letters would never crop up again? [*Interruption.*] The hon. Member for Mid Leicestershire (Mr. De Lisle) was interrupting—it was impossible for that hon. Member to keep order in the House and he ought to have rules for himself. The hon. Member ought to be under rules called, "Rules of the Holy Roman Inquisition." The hon. and gallant Member for North Armagh said—and this was the third time he (Mr. T. M. Healy) had endeavoured to get it out owing to the interruptions of hon. Gentlemen opposite—that what he was anxious for was that his countrymen should never be brought under the rule of Gentlemen who were accused of the charges which were made by *The Times* newspaper. Now, if he (Mr. T. M. Healy) had pointed out once before, he ventured to do so once again, that if that was the hon. and gallant Member's only objection to Home Rule, the remedy was extremely simple—namely, to provide that none of the 86 Irish Nationalist Members should ever sit in an Irish Parliament. And now he passed from that subject, and he would ask the Government what was their position to-night? It was this—that having offered the Irish Members this inquiry with regard to these letters and with regard to these charges against Members of Parliament, because they were described by the right hon. Gentleman the Member for West Birmingham as so great and terrible, when the Irish Members asked that in mercy to them and to the reputation of their Leader he should be offered an early opportunity of going into these charges, they refused him that opportunity. He (Mr. T. M. Healy) would put this case to the hon. and learned Attorney General. Supposing they believed the right hon. Gentleman the First Lord of the Treasury guilty of a forgery, supposing that they believed that in the course of his public or in the course of his private life he had been guilty of a conspiracy to murder, or, supposing, to take another case, the noble Lord the Member for Rossendale was charged with having written to one of his jockeys to pull a horse—[*Cries of* "Question!"] An hon. Member cried "question!" but he (Mr. T. M. Healy) thought he was "on the spot." Supposing there were a great many other Gentlemen on the turf who were concerned in these alleged transactions, and the noble Lord got up in this House and said, "I claim, as a British nobleman, that this House shall grant me an inquiry as to whether I wrote to this jockey, or signed this letter telling him to pull this horse;" and supposing the House said, "No; we cannot grant an inquiry into this alleged action of yours, because there are general allegations against the whole betting fraternity which we must go into. It is really a matter of very small importance whether a particular horse of the noble Lord's was pulled or not, or whether or not he wrote to his jockey to tell him to pull it, what we want to get at is the whole system of pulling horses and deluding the whole public. We will institute a general inquiry into this system by which the public are swindled and defrauded." [*Interruption.*] He would ask the noble Lord how he would like in regard to such a matter—[*Interruption*]—Seeing that the Irish Members had only until 1 o'clock to discuss this matter, he did think that the Government might induce their supporters to keep quiet, and that they might also keep quiet themselves. He asked how the noble Lord would enjoy having his conduct as one of the first Members of this House, and as one of the first public men in England, held over and put on a shelf, so to speak, until the entire question of rigging the market in the betting ring had been settled and decided? He (Mr. T. M. Healy) observed that the

right hon. Gentleman the Chancellor of the Exchequer did not like these synonyms. He was anxious to jump on his legs to defend the character of his Colleague. The first thing he (Mr. T. M. Healy) ventured to say the right hon. Gentleman would do when he got on his legs was this—he would deliberately say something to provoke an interruption from that (the Opposition) side of the House.

THE CHAIRMAN: I have ventured to appeal to other hon. Gentlemen to remember the conditions under which we are now acting. The hon. and learned Member for North Longford will do well to do the same.

MR. T. M. HEALY: Very well, then; he would therefore state that with regard to the question which, to the minds of himself and his Friends, was a question of the first magnitude, whether or not it were so to hon. Gentlemen opposite—namely, the question bearing upon their own characters, he and his friends belonged to the vast majority of the Representatives of Ireland, and what they said upon the subject ought to have some weight upon the House. They claimed that when they elected the Leader in whom they placed confidence they were entitled to know whether he had written the letters purporting to be signed by him or not. They claimed that they were entitled to ask whether their nation in Ireland and their people abroad—and there were millions of them—were right in placing this confidence in the hon. Member for Cork. They knew that he had not written these letters. He (Mr. T. M. Healy) thought that no one had a better opportunity of judging upon a matter of this kind than he had had for the past 10 years, and he thought he might fairly say this, and he did so with the utmost deference, that if a seraph instead of John Walter were to make an affidavit as to the genuineness of these letters, knowing something about the Member for Cork, he should require some further confirmation of that affidavit before he credited it. They, therefore, put it to the House as a favour. They who were brought to this House of Commons, compelled to come here, asked to maintain the Union, asked to join in the glories of the Empire—they invited and beseeched the House, in regard to what seemed to them to be a matter of the first importance, to give them the opportunity which would not be denied to a Member of the House charged with being a black leg of the turf. This House, in spite of the demands of the Irish Members and of their advisers, would proceed to vote down this Amendment; but happily this House was but a creature of the public outside. They appealed from the speeches of hon. and right hon. Gentlemen opposite in Committee to the speeches of the right hon. Gentleman the Member for West Birmingham and the Member for Oldham on the second reading. They appealed from the speeches to-night to those made 12 months ago in connection with the Privilege Motion of the hon. and gallant Gentleman the Member for North Armagh, and they said that from hour to hour and from day to day the anxiety of hon. Members opposite had not been to enable the Irish Members to clear their characters if they were impeached, but that their anxiety had been for political objects to put them in the wrong in the vain belief that by proving certain things against the present generation of Irish leaders they would settle for all time this Irish Question which had troubled them and their fathers and their grandfathers. He said that if they would only look to the past they would see the futility of these proceedings. He said, that if they would refer to their own declarations made only 12 months ago, and the leading articles in their own newspapers, and to their own speeches to their constituents, they would see that in refusing this demand that these letters should have the foremost place in the inquiry before the Commission, and should not be delayed by matters altogether irrelevant and distinct from them, they were playing a part as wretched and deplorable as was ever played by any conspirators against the good fame of their political opponents.

MR. GOSCHEN: When the hon. and learned Member for North Longford (Mr. T. M. Healy) rose, he made a kind of appeal to us that, as the time was short, as much as possible of it should be left at the disposal of himself and his Friends. I think he will admit that we have done our best on this Bench to comply with his request. We have imposed on ourselves considerable self-restraint in the course of this debate. There have been many

insults launched against us, many motives attributed to us which we wish to repudiate in the strongest possible terms. Attacks have been made on our honour, but we felt that the time at the disposal of the hon. Gentleman was short. Hon. Gentlemen opposite asked us for this time, and we feel it necessary to be brief—we have intended to be brief; and I myself do not intend to occupy more than the shortest possible time. I say that if we do not reply at length to the insinuations against us and the attacks made against our honour, it is not because we do not feel confidence in the force of our position, but we leave it to the country to judge between us.

MR. T. M. HEALY: That is Smith's speech.

MR. GOSCHEN: We leave the country to judge between our position and that of hon. Gentlemen. We give them the full benefit of the further speeches they have made this evening in repetition of the speeches they have made before. We give them the full benefit of all this time to make this attack on us, and we feel perfectly safe that all that hon. Gentlemen opposite have said will make no impression whatever on the country to which they professedly addressed themselves. The hon. and learned Member who spoke last has indulged in a simile, and has supposed that the noble Lord the Member for Rossendale would appeal to this House if some accusation were made against his honour as a sportsman. Every Member of the House knows that the noble Lord, if he were libelled, would go to the tribunals of his country, and would not come, as the hon. and learned Member who has just sat down has done, supplicating us for a particular form of inquiry, after refusing to go to the ordinary Courts open to every citizen.

MR. T. M. HEALY: Would Chamberlain do so?

MR. GOSCHEN: I thought there was an objection to interruption. If the noble Lord were to come to the House and ask us to form a special tribunal to try his case, then it would certainly be open to the House to say that the inquiry should take a general form. The hon. and learned Member for North Longford now comes forward and speaks of the hurry which he and his Friends are in to have the question of these letters cleared up, when for more than a year and a-quarter they have had ample opportunity of meeting the charges made against them, and have not availed themselves of it. They have come at last to a different tribunal than that of the ordinary Courts; and, surely, under these circumstances, the House has a right to impose its own conditions on that inquiry. It is absolutely false and untrue that the Government wish to put these letters into the background of the inquiry. We could not do it, even if we wished. As the Bill is drawn, it will be perfectly open to the Commissioners on the first day of the inquiry, if they chose, and if it seems to them that it will be the best means of arriving at the truth, to deal with the letters. All that the Government contend is that, important as the question of the letters is, it should be left to the Special Commission that has been chosen to determine what is the best way of arriving at what the public desire to know—namely, what is the truth, the whole truth, and nothing but the truth.

MR. T. P. O'CONNOR (Liverpool, Scotland) said, he thought the right hon. Gentleman the Chancellor of the Exchequer was hardly fair in suggesting a comparison in the course which would be taken by the noble Lord and the course which should be taken by his hon. Friend the Member for the city of Cork (Mr. Parnell). The right hon. Gentleman knew as well as he (Mr. T. P. O'Connor) did that the noble Lord the Member for Rossendale, if he went before a jury in London, would go before the jury almost entirely in accord with his own political convictions. [*Cries of* "No, no!"] Certainly most of the men would agree with the noble Lord's own particular convictions, and all of them would be of the same nationality, whereas, if the hon. Member for the City of Cork went before such a jury, he would go before one consisting of men of a different nationality from his own, and almost wholly composed of men of different political views from his own. He was surprised to hear the right hon. Gentleman the Chancellor of the Exchequer and his Colleagues speaking in such high terms of eulogy of the jury system, considering that they were the very men who had broken down that system in Ireland. What would the

noble Lord the Member for Rossendale say if it was proposed to bring such conduct as that which had been referred to for purposes of illustration before an Irish jury? And yet that would be a fair analogy—much fairer than the one the right hon. Gentleman the Chancellor of the Exchequer had sought to make. The right hon. Gentleman said that the forged letters had been before the country for a year and a-quarter, and yet the Irish Members had never asked for an inquiry into them. Why, within a few days of their publication the Irish Members had asked for an inquiry in this House, and the right hon. Gentleman was guilty of an almost Uriah Heap amount of humility when he said that he and his Colleagues were not the proper persons to try that question. Now, the speech of the hon. and gallant Gentleman the Member for North Armagh (Colonel Saunderson) was the best speech in favour of the Amendment which has been delivered in the course of the debate. What did he say? He said the question at issue was the further settlement of the Irish Question. Did that not show the object of the appointment of the Commission? The object of the Commission was not to inquire into the character of Members, but into the proceedings of a political Body. The hon. and gallant Gentleman also spoke of the forged letters. He (Mr. T. P. O'Connor) desired to call attention to the extraordinary fact that there was not a single Tory or Unionist Member who, in referring to these letters, had not somehow or other slipped in the adjective "forged." The letters were given up by every rational man in the country outside the office of *The Times* newspaper. An hon. Friend reminded him that the letters were given up by *The Times*. So they were. From the very first moment that the genuineness of these letters seemed likely to be examined and investigated, *The Times* had shirked and skulked away from the letters as being only a secondary, accidental, and immaterial part of their case. The hon. and gallant Gentleman the Member for North Armagh found some fault with the statement that had been made with regard to those letters, and the right hon. Gentleman the Chief Secretary for Ireland last night attacked the right hon. Gentleman the Member for Mid Lothian very strongly, because he dared to speak of the letters as forgeries. The right hon. Gentleman said it was grossly unfair that the right hon. Gentleman the Member for Mid Lothian should anticipate the verdict of the Commission in the matter. If the right hon. Gentleman the Chief Secretary were in his place, he would like to ask him why he had never expressed the opinion with regard to these letters; whether he had always maintained a judicial position in regard to these documents? He would ask the right hon. Gentleman whether he made a speech at Ipswich last year, in which he said—

> "Every man who wishes to form a conclusive judgment will probably consider, in the first place, the probability of such a letter as that being accurate from what he knows of the Irish history and the antecedents of the Irish Party, and will also take into consideration the kind of status and position of the journal which published the letters."

That did not say the letter was genuine or forged. A candid and open statement of his opinions was not much in the line of the right hon. Gentleman the Chief Secretary, but it was suggested and insinuated in strong language, and in as open language as the right hon. Gentleman could induce himself to employ, that in his opinion the letter was genuine. As a matter of fact, the right hon. Gentleman the Chief Secretary, and all hon. Gentlemen opposite, had gone round the country up to within the last few days declaring their entire faith in the genuineness of the letters, which one and all were now ready to acknowledge were nothing but the vilest forgeries. He was surprised at the speech of the noble Lord the Member for Rossendale (the Marquess of Hartington); but he must say that it was not the only surprising speech the noble Lord had made since he took up the unfortunate position he now occupied. There was a time when the noble Lord was not only remarkable for his high sense of honour, but for fair play and even chivalry towards his political opponents. But there had been a gradual deterioration in the attitude and the words of the noble Lord towards his political opponents since he entered into opposition to the policy of the right hon. Gentleman the Member for Mid Lothian. He must say that he thought that at one time when the Irish Members—even the Irish Members whom the noble Lord was so bitterly opposed

to—were unjustly and unfairly attacked, the instincts of fair play and honour of the noble Lord which, up to lately, he had always displayed, would have induced him to come to their rescue and see that they got fair play. But on every occasion when their characters had been affected, the noble Lord had allied himself with their assailants. He had ventured to ask the noble Lord in the course of his speech why he did not allude to the letter of *The Times?* He (Mr. T. P. O'Connor) apologized to the noble Lord for having made that interruption, because the noble Lord turned round to him and gave him a reason which he confessed was not present to his mind when he asked the question, and which clearly showed that there were painful and terrible circumstances which fairly entitled the noble Lord to abstain from commenting on that matter. He was sure the noble Lord would believe him when he said he would be the last man to say anything giving pain to him in relation to a matter in which the whole country sympathized with the noble Lord; but though the noble Lord did not refer to the letter, the letter was referred to by all the Gentlemen with whom he usually acted, and he did not think the noble Lord could entirely dissociate himself from the conduct of those Gentlemen. But whether the noble Lord referred to the letter or not, he (Mr. T. P. O'Connor) asked if it was not a letter of gravity so great as to require serious and isolated and immediate attention? Let him call the attention of the Committee to what *The Times* said itself in regard to this letter that it had published—it is a *facsimile* of a letter from Mr. Parnell, written a week after the Phœnix Park murders, accusing his public condemnation of the crime, and distinctly condoning, if not approving, the murder of Mr. Burke. He (Mr. T. P. O'Connor) asserted that a letter which could be fairly described as of that character, was a letter so abominable as to call for immediate attention, isolated attention, and prompt attention, and prompt conviction or prompt acquittal. He had hoped the noble Lord, with his characteristic fairness, would help them to get an immediate investigation. Now, he must refer to another Gentleman on the Opposition side of the House who had taken part in the debate. He (Mr. T. P. O'Connor) understood, although he was not so well acquainted with these matters as the hon. Member for the Loughborough Division of Leicestershire (Mr. De Lisle), that when it was proposed to canonize a holy individual in Rome, there was a worthy Cardinal always employed to urge against canonization all the things which could be urged against the most venerable character and the most saintly life. That advocate had a particular name, and the position of that advocate was exactly the position towards the saint as the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) had towards the Government—he was the "Devil's" Advocate. Whenever the Government were in a difficulty, whenever all the course of reason and argument was going against the Government, up jumped the Devil's Advocate, the hon. and learned Member for Inverness, to come to their assistance, and supply them with such arguments as they were wanting in themselves. He was a little surprised the hon. and learned Gentleman continued to occupy the seat he did as long as he performed this function for the Government. He must express his surprise that for the first time in human history the position of spy in the camp of the enemy had been considered of noble position for the hon. and learned Gentleman to occupy. The hon. and learned Gentleman got up, in his character of Devil's Advocate, and made a defence of the Government by saying that if this Amendment were carried the Commission might one day find out that the verdict of the previous day was an unjust verdict. He (Mr. T. P. O'Connor) and his hon. Friends had been reproached for want of confidence in the competence of the Commission. What was the confidence in the competence of the Commission of the hon. and learned Gentleman when he regarded them as so incapable of judging evidence that they would be ready to pronounce a verdict on a most important matter, on material or on insignificant evidence, and who regarded their judgment as so weak and fickle that they would be ready to reverse to-morrow a verdict they had given to-day. The Committee had very little time at its disposal, and he did not mean to make any further inroad into it. He thought, considering the importance of the Amend-

ment, the Irish Members could not be accused for having taken an undue share of time when so much time had been occupied by the noble Lord and by the Devil's Advocate upon this Amendment.

Question put.

The Committee *divided*:—Ayes 203; Noes 281: Majority 78.—(Div. List, No. 259.)

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, he had the following Amendment on the Paper:—In page 1, line 20, after "another," add—

"In case the evidence taken by them shall, in their opinion, suffice to justify the committal of any of the said persons on any charge against which he is not protected by the provisions of this Act, or otherwise, they shall commit him for trial before the Court having jurisdiction to try that charge."

After the decision the Committee had just come to on the last Amendment, he felt that no other Amendment whatever had any serious chance of being accepted, and as his proposal was an important one and would involve important considerations which it would take some time to debate, he proposed not to move it, but to leave the little time which remained at the disposal of hon. Members from Ireland.

MR. T. M. HEALY said, he wished to move the following Amendment:—In page 1, line 20, after "another," add—

"Provided, that the Commissioners shall make a separate report in regard to the charges against each individual Member of Parliament, and refer in such report specifically to the evidence on which their conclusions are founded where such conlusions are adverse to the Member affected."

This was on Amendment to which none of the objections taken in any of the speeches of the Members of the Government would apply. His proposition, simply stated, was this—that when this Commission had completed its labours, and when its last witness should have been called, and the counsel for *The Times* would have made his last speech and received his last refresher—when the Attorney General bowed to the Judge and said that he had nothing more to add—then, when the Commissioners had had all the body of evidence before them, they should, as a portion of their Report, report separately in regard to the charges made against individual Members of Parliament. He respectfully submitted to the Committee that that was an Amendment which could not be rejected either on the ground of principle, of policy, or of expediency. He respectfully submitted that it could only be objected to by those who endeavoured to father the entire Party with the Act, or because of an individual or of two individuals. If such act or acts could be proved against any one individual, he maintained that the entire Party, at least, were not to be condemned for the act of such individual. If a wild speech had been made in Galway or Donegal by any Member in that locality there was no reason why a man in Cork or Dublin should be held responsible for it. Accordingly, he provided that these three Commissioners, in whom he had no confidence, should be compelled to refer specifically to the evidence upon which their Report was founded. He did not trust Mr. Justice Day, nor Mr. Justice Hannen, nor Mr. Justice Smith. He neither trusted the trinity nor the unity. He would not trust any tribunal—["Hear, hear!" *and laughter*]—even the intelligence of hon. Gentlemen opposite might be sufficient to enable them to restrain themselves until he had finished his sentence—he would not, he said, trust any tribunal selected by a Tory Lord Chancellor from Tory Judges. Why did not hon. Members opposite cheer that? And, therefore, he provided that this Tory trinity should be compelled, when they were attempting to blacken the character of the Irish Party, to refer to the evidence upon which the tar brush had been dipped into the tar barrel. That was a gauge of the *bona fides* of the Government. The Judges, under the Amendment, would have to say that they found against a Member of Parliament on the evidence of so and so, or on question number so and so. Then it would be possible to turn to that evidence and see whether the witness was a convict, or a person accused of crime, or a person with regard to whom the receipt of money could be traced, or whether there was a reasonable suspicion of his being a suborned witness. When he heard any praise of particular individuals, because of the particular functions they fulfilled, he was reminded of the reproach addressed by one of the ancient prophets, that the people having taken a block of wood, fashioned it

with their hands, carved it, and gilded it, lo! it became a god. When Mr. Justice Day or Mr. Justice Hannen was at the Bar he would not have offered up incense to them; even the name of Smith could not provoke any undue respect from him; and, therefore, the fact that these gentlemen had got ermine upon them did not entitle them to any particular respect at his hands. False hair and ermine gave no particular titles to respect. These three gentlemen had been selected by the Tory Lord Chancellor, and so they were told that nothing was to be done to limit their functions. That was very fair for the Party opposite, who had the knave up their sleeve, who had rigged the tribunal and packed the jury and selected the Bench. Even the protest against Mr. Justice Day because of his scandalous conduct on the Belfast Commission—which was objected to by the Tory counsel for Orangemen—Judge Kisbey, who had sent John Dillon to prison for six months, and objected to also by the entire Orange Body—was not attended to by the Ministerial Party, and therefore he insisted on the Amendment. Further, he claimed that when the Judges referred to the Irish Party or to *Parnellism and Crime*, they should pick out the particular Parnellite and the particular crime. They were now coming to close quarters, and if the Government refused this Amendment, the public vision should be brought to bear on the fact that they had declined to accede to a means by which the Judges would be forced to avoid vague generalities, and by which the genuineness and honesty of their finding could be proved.

Amendment proposed,

At the end of the clause to add the words—"Provided, that the Commissioners shall make a separate report in regard to the charges against each individual Member of Parliament, and refer in such report specifically to the evidence on which their conclusions are founded where such conclusions are adverse to the Member affected."—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there added."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.) said the hon. and learned Gentleman who had moved the Amendment could scarcely have expected that the arguments by which he had supported it could have met with any other than one response on the part of the Government. He did not suppose that even the right hon. Gentlemen on the opposite Bench would suggest for a moment that the Government should accept an Amendment which was deliberately based on distrust of the tribunal which it was now proposed to establish. Every hon. Member was told at the outset that the tribunal was to be mainly or wholly composed of Judges, and the hon. and learned Member knew from the beginning that the Chancellor who would select the Judges was a Tory Lord Chancellor.

MR. T. M. HEALY: Not a word was said about selecting.

MR. MATTHEWS: Would the hon. and learned Gentleman be good enough to hear him? The House listened to the taunts and contumely with which the hon. and learned Member favoured them every night. Would they suffer him (Mr. Matthews), without interruption, to make observations which were neither contumelious or taunting. He was about to say that the hon. and learned Gentleman knew from the first what the tribunal was which it was proposed to erect, and he now thought it becoming, or an argument which the Government could accept, to open the door to a future assault on that tribunal, if it should dare to report against him and his Party, by describing them as persons for whom he had no respect. He (Mr. Matthews) never knew the hon. and learned Member to express respect for any office, however high, and now he said that in his mind the Judges themselves were not above suspicion. These so-called Tory Judges selected by a Tory Lord Chancellor were the tribunal to which he assented on the second reading.

MR. T. M. HEALY: No.

MR. MATTHEWS: Did the hon. and learned Gentleman seriously propose to the House and the Government an Amendment which was based not only on distrust of these Judges, but on the conviction that they were going to give a dishonest judgment. He appealed to the House to say whether it would be possible for any Government not totally devoid of all self-respect to do otherwise than oppose this Amendment, the whole purpose and object of which, as well as every argument offered in its support, was an outrage on the tribunal which was proposed to be set up.

MR. T. P. O'CONNOR said, he should like to refer to that passage of the right hon. Gentleman's (Mr. Matthews') speech, in which the right hon. Gentleman informed the House that the Judges would be chosen exclusively by the Tory Chancellor. That statement was made over and over again with great insistance, with a repetition of assertion which argued a perfect belief in its truth. He asked the right hon. Gentleman to refer them to a passage, a syllable, a hint in any previous speech, that the Judges of whom the Commission was to be exclusively composed were to be selected by the Tory Lord Chancellor?

MR. MATTHEWS: The assertion made by the hon. and learned Member for North Longford was that a Tory Lord Chancellor would select them.

MR. T. P. O'CONNOR said, the right hon. Gentleman would not run off on a false scent like that. Undoubtedly his hon. and learned Friend had stated that the Judges were exclusively selected by a Tory Lord Chancellor; but the reply of the right hon. Gentleman was that fair notice was given on the second reading of this Bill that the Judges would be selected by a Tory Lord Chancellor. Did the right hon. Gentleman deny that this was a true and correct representation of what he said?

MR. MATTHEWS: I do.

MR. T. P. O'CONNOR: Then what did the right hon. Gentleman say? It was in the recollection of the House that what the right hon. Gentleman said was, that the House was warned that these Judges would be appointed by a Tory Lord Chancellor. Why, instead of that being the case, it had been made an objection and a reproach from the Front Opposition Bench that the Judges were selected evclusively by the Tory Lord Chancellor, and not in consultation with right hon Gentlemen on the Front Opposition Bench. The right hon. Gentleman the Home Secretary spoke of the speech of his hon. and learned Friend (Mr. T. M. Healy) and the Amendment as throwing suspicion upon the Judges. But the speech was one thing and the Amendment was another, and where did the Amendment throw suspicion upon the Judges? What happened in this House when a Select Committee made its Report? If that Report was properly drawn up, there was not a single distinct recommendation which was not confirmed by a reference to the witness and the number of the questions in the evidence on which the recommendation was founded. Was it too much to ask that a Court consisting of three Judges, or a Court consisting of three Archangels, if they gave a verdict of conviction of serious crimes against a Member of this House, should be compelled to accompany that verdict by a statement of the reasons and the evidence on which that verdict was founded? How could that demand involve disrespect to the three Judges? The right hon. Gentleman said the Amendment bore some resemblance to other Amendments that had been proposed. [MR. MATTHEWS: No.] Well, he (Mr. T. P. O'Connor) thought the right hon. Gentleman did say so, and, at any rate, it was perfectly true that this Amendment did bear a very close resemblance indeed to other Amendments proposed from those Benches—in this respect, that the Irish Members were willing to have their names set forth for inquiry; that they were perfectly prepared to be pilloried in the most public manner as objects of inquiry, provided only that in addition to particulars of their names there should also be particulars as to the charge and evidence that were brought against them. They had not shirked but demanded inquiry into their characters. What was the best proof of that? It was that they had asked over and over again that their names should be set forth in Schedules of the Bill, or by any other form that would segregate them from any other persons. All their proposals on that point had been, however, rejected; and nothing but the historical honour of being cut short by the atrocious proposal of the Government would induce him to add one word to this debate.

MR. PARNELL (Cork): Sir, I rise, as we are now coming to the enforced termination of our proceedings upon this Bill, to say a few words as to the course which I should recommend my hon. Friends to adopt with regard to their action upon the Questions which will be put by you, Sir, in accordance with the Resolution of the House after 1 o'clock. It would be affectation for me to deny that I approach the inquiry before this Commission with a rankling

sense of injustice. It would have been easy, I think, for the Government to have avoided such a feeling on my part, to have rendered such a feeling on my part impossible. I think it would have been better if they had endeavoured to be a little straightforward in their conduct in dealing with us. It is true that we are only Irish Members; and the hon. and learned Attorney General, during the course of these debates, pointedly stated that he should decline to notice the accusations and the references of the Irish Members to himself. That is in the recollection of the House.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): If the hon. Gentleman will pardon me, I said nothing of the kind. What I said was, that I should decline to notice again the accusations that had been made against my conduct as counsel for *The Times*, which had been made, not by Irish Members, but by Members sitting opposite.

MR. PARNELL: The hon. and learned Gentleman, in the very able and eloquent speech which he delivered on the second reading of the Bill, pointedly referred to the Irish Members below the Gangway as persons beneath his notice. [Sir RICHARD WEBSTER dissented.] And he carried out that argument in practice by refusing—and I thought he might have taken the opportunity of pulling himself right at least in that respect—to answer the charge of want of accuracy which I had made against him in regard to his speech in the case of "O'Donnell *v.* Walter." They were simple questions of fact which the hon. and learned Gentleman might have referred to in the interval between my speech and his speech, and which, if he had referred to, he would undoubtedly have seen that he had been in error in the statements he had made; and he could have corrected the error in those statements, which he has refrained from doing up to the present moment. Well, Sir, this Bill has arisen out of a request by me to the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) that a Select Committee of this House should be appointed to investigate the charges which had been made against me and my Colleague, and the genuineness and authenticity of these letters; and the right hon. Gentleman the First Lord of the Treasury, in reply to that request, promised us a Royal Commission to investigate all the charges and allegations which had been made against myself and my Friends and Colleagues. He said, further, that it was for me and my Colleagues in this House to reject the proposal that he made, thus clearly indicating that the proposal was with reference to myself and my Colleagues and not to any outside persons. Well, Sir, I had no fault to find with that proposal in its inception, though I had fault, and very strong fault, to find with the accompanying statement of the right hon. Gentleman the First Lord of the Treasury, that it was for me to accept or reject it on the spot, before the Bill was printed, or that otherwise it would not be proceeded with. I thought that was an unfair position to put us in, to have to accept or reject a Bill we had not seen. But I had no fault to find with the proposal itself; nor have I any fault to find in my own mind with the proposal itself, but when the Notice appeared on the Paper a great change had taken place. The Reference, which at first was confined, according to the statement of the right hon. Gentleman the First Lord of the Treasury, to the charges and allegations against me and my hon. Friends, was extended to the charges and allegations against "other persons," and since then, by the speeches from the Treasury Bench, it has been further extended into an inquiry, first of all, against the Land League, and, secondly, against the National League. That, again, I say was an evidence of want of straightforwardness on the part of the Government. If they had desired an inquiry into the Land League and the National League, I should not have stood in their way. I should have said that it was a reasonable request; but I think it is unreasonable, underhand to ask us to consent to an inquiry into our own conduct, and then to enlarge it into an inquiry into the conduct of organizations. Well, Sir, the thing has gone on, and we have had discussions in Committee upon some vital points in reference to this Bill, and I should not have complained, whatever the result might have been of unfairness, if we had been heard. But I think this House has taken a grave responsibility upon itself in denying to us, who are so vitally interested in this question, the opportunity of being fully heard with regard

to the tribunal which is to try us and the organizations with which we are concerned. We stand in this position. We feel we are approaching an inquiry which has been shaped by yourselves and your superior force without your having given us an opportunity of stating our views with that fulness which the gravity of the occasion requires. Some of his hon. Friends had placed Amendments on the Paper with regard to provisions for enforcing the attendance of witnesses before the Commission which are lacking in this Bill. This Amendment by your action to-night will be shut out. We consider, and I consider, that these Amendments are vital for the purpose of proving the forgeries of these letters. We consider that we have information that there are men at present in London whom we can lay our hands upon, if they wait for us to lay our hands upon them after this Bill is passed, who have a knowledge of the forgeries of these letters, and who, if we can put them in the box, we shall force to admit that they are forgeries. We have placed Amendments on the Paper casting provisions which are lacking in this Bill, which will enable us to enforce the attendance of these men; or, failing the possibility of enforcing their attendance, that after the cessation of the proceedings of the Commission these persons shall be punished for absconding from its jurisdiction. Recollect how we stand in regard to the question of the forged letters. *The Times* has announced that it will refuse to produce evidence as to how it got these letters, that they will refuse to us an opportunity of knowing who our accusers are, and that they will refuse to declare from whom these letters were obtained, or to let us know the circumstances under which they were obtained. It is, therefore, of the greatest and gravest importance to us that we should be able to supply the deficiency in the evidence of *The Times*. Mr. Walter, the proprietor of *The Times*, may be sent to prison for refusing to answer. But what does he or anyone else care for remaining in prison during the session of the Commission, when he knows that immediately the Commission has ceased to sit he will be released from prison, and that he may snap his fingers at all the Courts of the country so far as the Commission is concerned? And what will those criminals care which have evaded, and will be able to evade, our attempts to put them in the box, owing to your action in refusing our Amendments, and owing to your action in not even allowing us to put them before you; what will these criminals, these forgers, care for your action in appointing a Commission of Inquiry, when, simply by stepping across the Channel and staying there during the sitting of the Commission, they can draw an impenetrable veil of secrecy over the origin of these miserable productions? I say that it is not fair play to us; you ought to have heard us. You ought to have given us that hearing which the House of Commons have never before denied to individuals who were charged before it. We consented to this unprecedented and unconstitutional inquiry into our guilt or innocence with regard to these matters, and the least return you could have given us was to have afforded us a full and fair opportunity of laying our views before the Committee. When the right hon. Gentleman the First Lord of the Treasury first spoke of appointing this Commission, I said then, as I say now, that I do not object to entrust my cause to the judgment of any three, four, five, or six able, learned, and honourable men. I believe from that scrutiny we shall come out untarnished and triumphant. But I do say that you, the majority of the House, have tarnished yourselves, have discredited the traditions of this House, by refusing us, who are your equals in this House, who are as honourable as yourselves, the right we have under the Constitution of the House of shaping, or of attempting to influence your judgment in shaping, the most important measure which has ever been devised for the judgment of man, the importance of which with regard to the future situation of political Parties in this country and to the future interests of the Nation which we represent is incalculable.

It being One of the clock a.m., the Chairman, in pursuance of the Order of the House, interrupted the Debate, and put the Question forthwith.

The Committee *divided*:—Ayes 201; Noes 283: Majority 82.—(Div. List, No. 260.)

Question, "That the Clause, as amended, stand part of the Bill," put, and *agreed to.*

Clauses 2 to 7 *agreed to.*

Preamble *agreed to.*

Whereupon the Chairman, in pursuance of the Order of the House, forthwith left the Chair and reported the Bill, with Amendments, to the House.

Bill, as amended, to be considered on *Monday* next.

BURGH POLICE AND HEALTH (SCOTLAND) (*re-committed*) BILL.

(*The Lord Advocate, Mr. Solicitor General for Scotland, Sir Herbert Maxwell.*)

[BILL 340.] COMMITTEE.

Order for Committee read.

DR. CLARK (Caithness) asked the Chancellor of the Exchequer, to say whether it was the intention of the Government to ask the House to proceed with this Bill, a Bill which would practically recast all the Burgh Police and Public Health laws of Scotland, before the adjournment, or to postpone it until the Autumn Session?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, the Government were desirous that full effect should be given to the labour of the Committee upon this Bill, and they were also anxious to consult the wishes of Scotch Members. In the absence of his right hon. Friend the First Lord of the Treasury he could not say more, and proposed to set down the Bill *pro formâ* for Monday.

Committee *deferred* till *Monday* next.

TITHE RENTCHARGE (RECOVERY AND VARIATION) BILL [*Lords*].

(*Mr. William Henry Smith.*)

[BILL 289.] SECOND READING.

Order for Second Reading read.

MR. ILLINGWORTH (Bradford, W.) asked, had the Government any expectation that it would be possible to proceed with this Bill before the Recess? It would be necessary to have the Bill discussed, and there were some very wide questions to be raised in connection with it. Would it not be preferable to defer the Bill until the Autumn, if, indeed, it was not desirable to withdraw it for the Session?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he was not in a position to give the hon. Member the information he asked for.

Second Reading *deferred* till *Monday* next.

DR. TANNER AND MR. BROOKFIELD.

PERSONAL COMPLAINT.

DR. TANNER (Cork Co., Mid) rose, and claimed Mr. Speaker's attention to a point of Order. He said, I have been grossly insulted, Sir, outside by a Gentleman and addressed in the most impertinent manner. He has spoken to me again and again in the most impertinent terms. I do not know what constituency he represents—some division of Kent, I think—his name is Brookfield. ["Sussex."] He has addressed me again and again in most insulting terms. I have put up with his conduct on many occasions. Just now he persisted in following me about. I said I did not want to know him, that I did not think his acquaintance worth having, and that he would confer a favour upon me if he ceased to address me. He, however, insisted on following me about in the presence of a great number of hon. Members—I do not know them—who witnessed his conduct, I told him that unless he ceased, I would bring his conduct to your notice. This is not the first time, Sir, or I would not do so. Again and again I have been grossly, wantonly insulted by hon. Members who sit on those Benches, and I beg now to bring this conduct under your notice and judgment.

MR. SPEAKER: Is the hon. Member for the Rye Division of Sussex in the House? If so, I will call upon him to say if he has any explanation to offer.

MR. BROOKFIELD (Sussex, Rye): I do not understand, Sir, what the allegation of the hon. Member is. He seems to have some complaint against myself; but I can only say that if there is any complaint at all to be made, it would more properly come from me. But I wish to make every allowance for the hon. Gentleman, whose eccentricities are pretty well known to Members of this House—[*Cries of* "Order!"]

DR. TANNER rose——

MR. SPEAKER: Order, order! The hon. Member for Mid Cork has made a

complaint of some misconduct, and I ask the hon. Member for Rye if he has any explanation to offer?

MR. BROOKFIELD: The explanation I have to offer, Sir, is that the hon. Gentleman insulted me as I was leaving the House, and the only observation I made to him was, "Really, Dr. Tanner, if you speak to me in this manner I shall have to bring your conduct before the notice of the Speaker."

DR. TANNER: Might I be allowed to remark that I never addressed the hon. Gentleman at all; but he came up to me at the Bar swaggering and saying, "I will not allow you, Sir,"—or words to that effect—"to look at me, or speak to me." I did not address the hon. Gentleman at all. This a myth of his own imagination; he was suffering under some hallucination at the moment, but I am not responsible for that. It is most painful to me——

MR. SPEAKER: Order, order! I must call on both hon. Members to maintain a courteous bearing towards each other, and I do hope the House will not think it necessary to pursue this matter any further.

DR. TANNER: I may be allowed to say one thing; the hon. Member dares not say to me outside the House what he has said here.

LLOYD'S SIGNAL STATION BILL [*Lords*].

(*Sir Michael Hicks-Beach.*)

[BILL 343.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Second Reading be deferred till Saturday next."—(*Sir Michael Hicks-Beach.*)

MR. T. M. HEALY (Longford, N.) said, this was the first Order set down for that day, and acquiescence with the Motion would fix a Saturday Sitting. He might prevent that by objection, but had no wish to take that course; he merely wished to ask what Business was proposed to be taken on the Saturday, at what hour the House would meet, and when it was proposed to adjourn? A Saturday Sitting necessarily meant a day snatched from the rest of Members and officers of the House, and he presumed the Sitting would be governed by the usual Rules applicable to Wednesdays. Further, he would suggest that the practice of last Session should obtain, and it would prevent a considerable amount of wrangling that no private Member's Business should be taken; but the Government after their own Business was disposed of should move the adjournment. That was a fair proposition to make; it would prevent Members being brought down and kept continually on the watch against Bills to which they were opposed.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, it was not proposed to take any Business seriously opposed, except the Report of Supply and Army and Navy Votes in Supply. It was proposed that the House should meet at 12, and suspend its sitting at 6 o'clock, as on Wednesday, and the Government would certainly propose to follow the suggestions of the hon. and learned Member, that no Opposed Private Member's Bill be taken.

MR. T. M. HEALY: No Bills?

MR. GOSCHEN: No Bills; unless the House were disposed to take an unopposed Bill.

MR. T. M. HEALY: No contentious Bills?

MR. GOSCHEN: No other contentious Business than I have mentioned.

Question put, and *agreed to.*

Second Reading *deferred* till *Saturday.*

EMPLOYERS' LIABILITY FOR INJURIES TO WORKMEN BILL.

(*Mr. Secretary Matthews, Mr. Attorney General, Mr. Ritchie, Mr. Forwood.*)

[BILL 145.] CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Order for Consideration be deferred till To-morrow."—(*Mr. Jackson.*)

Mr. MAC INNES (Northumberland, Hexham) asked, was there any likelihood of the Report of the Committee on this Bill being taken before the adjournment? There were many Amendments on the Paper, and much interest in the Bill was displayed on both sides of the House?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square), said the Government hoped to take the Bill before the holidays.

MR. BROADHURST (Nottingham, W.) said, if the Bill was not to be taken to-morrow why put it down? If it were put down only for a day when it might possibly be taken, Members would be relieved from the harassing occupation of watching for a Bill in which they were interested.

MR. GOSCHEN said, he could not say when it would be taken; but it would not be to-morrow.

Question put, and *agreed to.*

Consideration deferred till *To-morrow.*

OATHS BILL.

(*Mr. Bradlaugh, Sir John Simon, Mr. Kelly, Mr. Courtney Kenny, Mr. Burt, Mr. Coleridge, Mr. Illingworth, Mr. Richard, Colonel Eyre, Mr. Jesse Collings.*)

[BILL 319.] THIRD READING.

Order for Third Reading read.

MR. BRADLAUGH (Northampton) said, he desired to invite an expression of the views of the Government in respect to the Bill. When the Government obtained control of the whole time of the House, it was with a special exception in favour of this Bill then at the Report stage. He had put the Bill down night after night, but still was met with the "I object" from hon. Members opposite, and the proceeding approached the nature of absolute farce. He invited the Government to mention some reasonable time when the final stage of the Bill might be taken. He would not press for an answer in the absence of the First Lord of the Treasury, but put the question in moving to defer the Bill once more till to-morrow.

Motion made, and Question proposed, "That the Order for Third Reading be deferred till To-morrow."—(*Mr. Bradlaugh.*)

SIR ROBERT FOWLER (London) suggested that if the Bill were allowed to be called at 10 minutes to 12 some night, there would probably be no attempt to discuss it, and he imagined the hon Member only desired to take a Division on the Bill?

MR. BRADLAUGH said, he should be quite content with that.

Question put, and *agreed to.*

PAUPER LUNATICS' ASYLUMS (IRELAND) (OFFICERS' SUPERANNUATION) BILL.—[BILL 135.]

(*Mr. Johnston, Mr. Chance.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Johnston.*)

MR. BIGGAR (Cavan, W.) objected.

MR. JOHNSTON (Belfast, S.) said, in consequence of the continued opposition of the hon. Member for West Cavan, he would move the discharge of the Order.

Motion made, and Question proposed, "That the Order for Committee be discharged."—(*Mr. Johnston.*)

MR. CHANCE (Kilkenny, S.) said, his name was on the back of the Bill. It would be matter for regret if a Bill that had the support of Members of such opposite political opinions should be withdrawn while an opportunity remained of converting its useful provisions into law. He appealed to the hon. Gentleman to withdraw his Motion, and not give up the attempt until every hope was exhausted.

MR. JOHNSTON said, he had waited night after night, and had been persistently met with objection by the hon. Member for West Cavan. He adhered to his Motion.

Question put, and *agreed to.*

Order *discharged;* Bill *withdrawn.*

MUNICIPAL CORPORATIONS (LOCAL BILLS) (IRELAND) BILL.—[BILL 351.]

(*Mr. Sexton, Mr. Murphy, Mr. T. D. Sullivan, Mr. Maurice Healy, Mr. O'Keeffe, Mr. Richard Power, Mr. Peter M'Donald*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

(Mr. J. W. LOWTHER in the Chair.)

Clause 1 *agreed to.*

Clause 2 (Cost of promoting Bills in Parliament to be charged on municipal funds).

Amendment proposed,

In page 1, line 9, after "Parliament," insert "for the purpose only of consolidating existing Acts, and for creating new stock within the limitation of existing powers."—(*Mr. Jackson.*)

Question proposed, "That those words be there inserted."

MR. SEXTON (Belfast, W.) said, he regretted the Government should think it necessary to insert this limitation. It would be necessary at no distant time to bring in an amending Bill to put Irish Corporations in an equal position in this respect to those of England. It was useless, however, to resist the Amendment; but he hoped there would be no objection to add the words —"or of borrowing powers hereafter conferred by Parliament."

Amendment, to amend the proposed Amendment by the addition of the words "or of borrowing powers hereafter conferred by Parliament,"—(*Mr. Sexton,*)—*agreed to.*

Amendment, as amended, *agreed to.*

Clause, as amended, *agreed to.*

Clauses 3 to 5, inclusive *agreed to.*

MR. SEXTON said, he had handed the hon. Gentleman in MS. a clause to extend the Bill to townships. Could the hon. Gentleman say if he would accept it now, or should he bring it up on Report?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, he had seen the clause in MS. proposing to extend the Bill to Town Commissioners; but he could not accept it at that stage. It might be necessary to amend the Bill hereafter; but the Bill as it stood met the difficulty of which complaint had been made.

MR. SEXTON said, he would not press it.

Bill *reported;* as amended, to be considered *To-morrow.*

COPYHOLD ACTS AMENDMENT BILL

[*Lords*].—[BILL 298.]

(*Mr. Haldane.*)

SECOND READING.

Order for Second Reading read.

MR. HALDANE (Haddington) repeated what he said on a previous night, that if the House would allow the Bill to go through its second reading, so far as he was concerned the "Mineral" Clauses should be omitted in Committee. He believed there was general assent to the principle of the Bill.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, he was very sorry that he could not consent to the Bill being taken now. Speaking personally, he did not think there would be any great objection to the Bill with the "Mineral Clauses" taken out. He had, however, received representations from both sides of the House that the Bill could not be allowed to pass without a second reading discussion.

MR. T. M. HEALY (Longford, N.) said, he was surprised that the hon. and learned Gentleman the Attorney General should object to a Bill dealing with land, after it had received the assent of Lord Salisbury and passed through the ordeal of the House of Lords.

SIR RICHARD WEBSTER said, the hon. and learned Member had misunderstood the position. The Bill was not a Government Bill and it required careful consideration. He was far from saying that the Bill should not be allowed to pass in some shape; but it was not a Bill that could be read without some discussion. Exception was taken to some of the clauses, and it would not be fair to Members from whom he had received representations that the second reading should not now be taken.

Second Reading *deferred* till *Monday* next.

QUESTIONS.

—o—

BUSINESS OF THE HOUSE.

DR. CLARK (Caithness) asked the Lord Advocate, Whether he intended to take certain Scottish Bills next Friday which he had put down for that date?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): No; we have only put them on the Paper in the hope that they might be reached.

In answer to Mr. T. M. HEALY,

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, the Government would to-morrow take the Vote on Account for the Civil Service and the Army Votes, and on Saturday the Navy Votes. His right hon. Friend would to-day move that the 12 o'clock Rule be suspended.

House adjourned at ten minutes before Two o'clock.

HOUSE OF LORDS,

Friday, 3rd August, 1888.

MINUTES.]—SELECT COMMITTEE — *Report* — Emigration and Immigration (Foreigners) [No. 248].

PUBLIC BILLS — *First Reading* — Reformatory Schools (250); Industrial Schools * (251).

Second Reading—Companies Relief (241); Forest of Dean Turnpike Trust (232).

Committee — *Report* — Recorders, Magistrates, and Clerks of the Peace [215].

Report—Distress for Rent (Dublin) *now* Small Debts and Distraint (Ireland) (245-253); Fishery Acts Amendment (Ireland) (246).

Third Reading—Libel Law Amendment (244-252), and *passed.*

METROPOLIS (OPEN SPACES) — PARLIAMENT SQUARE—PUBLIC SEATS.

QUESTION.

THE EARL OF MEATH asked the Government, What had been done in fulfilment of their promise to place seats in Parliament Square?

LORD HENNIKER said, that 10 seats had been ordered to be placed in Parliament Square, and it was believed that they would shortly be placed in position. Six of the seats would be placed in the centre walk, and the other four at the corners of Parliament Square, outside the railings, where there was ample space for them.

SCOTLAND—THE ANTIQUARIAN MUSEUM AND NATIONAL PORTRAIT GALLERY.

QUESTION. OBSERVATIONS.

THE EARL OF ROSEBERY, in asking the Secretary for Scotland, When he will be in a position to remove the Scottish Antiquarian Museum to the new building of the National Portrait Gallery in Edinburgh? said, that he had no wish to add any remarks to the Question, except to say that the condition of the Museum of Antiquities of Scotland had long been a subject of national disgrace. They had understood that when a private donor had given a large sum for new buildings in which those antiquities could be housed, the Treasury would undertake the cost of removal and keeping the buildings up. He understood, from answers given in "another place" that there was some hitch in the matter, and he was sure that any explanation from the Secretary for Scotland would be exceedingly welcome in Scotland.

THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN) said, he was greatly obliged to the noble Earl for having on one or two occasions postponed the Question at his request. His object in asking those postponements was that he had hoped by this time to have been able to give him a satisfactory Answer, and to be able to state with some degree of certainty when it would be possible to remove these antiquities to the new building which had been provided for them by the munificence of a private donor. He was sorry to say that the hopes he had held of being enabled to give him a satisfactory answer were not fulfilled. The noble Earl was perfectly right in saying that there was an arrangement by which, when this most valuable collection of the Society of Antiquities was handed over to the nation, the care of it would be taken by Her Majesty's Government at the expense of the Treasury; but a difference had arisen between the Board of Manufacturers, who had the practical custody and charge of this collection at Edinburgh, and the Treasury, as to the exact meaning of the terms under which they were bound to maintain this collection for public purposes. The question was still under consideration, and he had hoped that it might have been settled before very long. He could not help adding that, as the noble Earl had said, this collection was now not at all adequately housed. A very large portion of it was quite useless from the fact that it was packed down in cellars where it was perfectly unapproachable by the public; and unless some arrangement was made before very long he feared that the donor who had undertaken to erect this magnificent building for the housing of this magnificent collection might withdraw from the promise he had given. He hoped the noble Earl would put this Question again at a somewhat later period, when he hoped to be able to say that a proper arrangement had been come to.

THE EARL OF ROSEBERY said, that the noble Marquess's answer was mysterious in its tendency. He did not know whether the noble Lord had any Correspondence or Papers on the subject which he could lay on the Table of the House; but he was quite sure that if they allowed this Session to pass without a satisfactory explanation to the

people of Scotland, it would cause great inconvenience.

THE MARQUESS OF LOTHIAN said, he was unable to say at once whether there was any Correspondence; but he would make inquiries on the subject, and, if possible, he would meet the noble Earl's request.

THE EARL OF ROSEBERRY said, he would ask the noble Marquess a Question on the subject on Tuesday.

ITALY AND ABYSSINIA.

QUESTION. OBSERVATIONS.

LORD NAPIER OF MAGDALA, in rising to ask the Government, Whether any steps can now be taken to mediate between Italy and Abyssinia, in the hope of relieving those counties from their present relations towards each other, which are seriously injurious to both parties; and also to restore the free transit through Massowa which we guaranteed by Admiral Hewett's Treaty, said, that it was with reluctance that he addressed their Lordships on the question of Abyssinia, but he felt compelled to do so because, as he had stated on a former occasion, he felt grateful to King John for his loyal assistance to the expedition in Abyssinia, and because he wrote to King John advising him to be guided by our Ambassador, Admiral Hewett, in the Treaty which was then entered into. He had reason to believe that his advice had much weight with King John, and therefore he felt a considerable amount of responsibility regarding him. King John might well have doubted our friendship, because we stood aloof when Egypt attacked Abyssinia. It was reasonable to suppose that our intervention could have prevented that wrong. But King John accepted our proposals and Admiral Hewett's Treaty. A reference to Admiral Hewett's Treaty would show that in the 1st Article was the condition that there should be free transit through Massowa for all goods, including arms and ammunition, under British protection. The 2nd Article provided that the country called Bogos should be restored to King John, and when the Egyptian garrisons should have left the garrisons of Kassala, Amedib, and Sanhit, the buildings in the Bogos country, with all the stores and munitions of war belonging to the Khedive, which should then remain in the same buildings, should be delivered to, and become the property of, King John. In the 3rd Article, King John agreed to facilitate the withdrawal of the troops of His Highness the Khedive from Kassala, Amedib, and Sanhit through Massowa. King John fulfilled his engagement, he assisted two garrisons, and, in the third instance, he did not succeed; he fought a most sanguinary battle to effect it, and lost many valuable soldiers. This country had restored the territory taken by Egypt, but we failed to secure the free transit through Egypt, which was never for one moment carried into effect, and the condition of the stores and material in Bogos was not fulfilled. If we had had a British Consul present, and made efficient provision for defining the limits of the Massowa occupation, the collision might have been prevented. By not having a sufficient guarantee for the fulfilment of our Treaty, we had incurred a grave national responsibility, and England could not look without concern at the present state of affairs, which threatened to destroy the degree of comparative order created by King John, and to throw Abyssinia into an anarchy, while it cost Italy much money and many valuable lives. It was to be hoped now that Italy, having secured the outposts necessary for the protection of Massowa, having vindicated her military position, having killed ten Abyssinians for every Italian soldier that fell at Dogali, and having greatly straitened Abyssinia by her blockade, might be willing to grant such terms as King John could accept without incurring the resentment of his people by the surrender of his territory. If we referred to the series of Blue Books published by Italy, and the frequent solemn declaration of her Ministers, we should infer that she had no designs of conquest, but that her sole object was commercial and civilizing. It was not possible to suppose that Italy, who for so many years groaned under a foreign yoke, whose wrongs and sorrows drew the sympathy of all the free countries of Europe, would now become an oppressor, or that she would run the risk of ruining the only Christian nation in Africa. Abyssinia, peaceful and in alliance with Italy, would afford a valuable opening for trade in Central Africa,

Abyssinia, wholly or partly conquered by Italy, with a brave though unruly population, could never be other than a thorn in the side of Italy, and would be valueless for commerce. Italy had become a great and enlightened nation. It was impossible to consider the ancient history and the present position of Abyssinia without some sympathy. Although they have followed, in many instances, the fierce teaching of the Israelite, rather than the mild teaching of the Messiah, there was really much Christianity in the middle classes of the people, the farmers, and others. We should remember that Abyssinia had alone of the Africans preserved her Christian Church, and that in her day of power she protected the churches of Africa. We might learn from the eloquent pages of Gibbon how she listened to the appeal of the African churches and redressed their wrongs, It was to be hoped that Italy, by a generous forbearance, might become the enlightened friend and protector of Abyssinia, and might relieve England, of whose friendship and sympathy she was assured, of a very embarrassing position and an unfulfilled responsibility.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, the matter to which my noble and gallant Friend has addressed himself is one that naturally attracts his recollection and invokes his sympathy, and I think it quite natural he should have brought it before the House. I cannot enter so freely into it as he has done; I have not the right to do so, in the first place, and, in the second, there are many considerations which must make me sparing of my observations upon some points on which he has touched. But I should like just to state the precise position in which this country stands towards Abyssinia, because it is a little complicated. Admiral Hewett, in June, 1864, concluded a Convention with the King of Abyssinia, of which this was the 1st Article—

"From the date of the signing of this Treaty there shall be free transit through Massowa to and from Abyssinia for all goods, including arms and ammunition, under British protection."

My noble and gallant Friend, I think, spoke of that as a guarantee. The word is hardly accurate, but I would not quarrel with it and only notice it for the purpose of saying that it is not at all applicable to the rest of the Convention. The Convention goes on to state that—

"The country called Bogos shall be restored to the Negus with certain stores and buildings;"

but there is no word about British protection. It is a tripartite Treaty between the Queen, the Government of Egypt, and the Negus, and I think that Her Majesty's engagements in respect to that territory were entirely fulfilled when it was handed over to him, and any further possession of it is a matter which does not directly, as a matter of Treaty, concern us. But, with respect to the engagement that goods and ammunition shall have a free transit through the Port of Massowa there is more difficulty. Shortly after this engagement was undertaken by Admiral Hewett a change took place in the possession of Massowa. When we entered into that engagement that port was in possession of Egypt, over whom our influence was at that time unbounded; but shortly after that time possession was taken of it by the Italians, not precisely with our consent, but with our knowledge. The terms in which the noble Lord opposite (Earl Granville) expressed himself—I am quoting the Parliamentary Papers—were—

"If the Italian Government should desire to occupy some of the ports in question it was a matter between Italy and Turkey, but he (Sir John Lumley) was able to inform the Italian Ambassador that Her Majesty's Government, for their part, had no objection to raise against the Italian occupation of Zulla, Beilul, or Massowa, subject always to certain conditions as to the last-named port which resulted from the provisions of our recent Treaty with Abyssinia."

And, in reply to that, Sir John Lumley records the fact that—

"Count Ferrari carries with him sealed orders, to be opened on the arrival of a courier from Massowa"—

and that—

"in the event of the permanent Italian occupation of that place he will assure the King that Italy assumes all the obligations of the Treaty between England and Abyssinia"—

that is, the King of Abyssina—

"and will do all in her power to facilitate Abyssinia trade."

To that extent we have, on the part of Italy, the acceptance of the inheritance of the engagement which we made with

the King of Abyssinia. The precise international position remains a little complicated, but yet I suppose we may regard ourselves as divested of these engagements and Italy as having succeeded to them. At least, that is the practical position. I gather from my noble and gallant Friend that he thinks Italy has not fulfilled those engagements with respect to the free passage of arms and ammunition. It is fair to say that there is considerable controversy as to what the meaning of the word "free" in the Treaty is. Some persons interpret it to mean "free of all duty," and others to mean "free of all restriction." It is important to know, therefore, that when the Treaty was in the act of signature by Admiral Hewett, Mason Bey, who represented Egypt at that signature, was by his side, and the Admiral was going to write it "free of all duty," when, by the advice of Mason Bey, he did not do so, but simply wrote it "free." It is, therefore, to be presumed that, in the view of Admiral Hewett and of Mason Bey, it was free from all restrictions, and not free from all duty. That is the only consideration of a technical character which I will venture to press on the noble and gallant Lord. He must be aware that since that time a state of war has arisen between the King of Abyssinia and the Government of Italy. I will not attempt to decide between two Powers, both of whom are our allies, but it is fair to say that Ras Alula, representing the King of Abyssinia, was certainly not very strictly under the restraint of the orders of the Central Government of his State, and the intelligence which has reached me does not accord with that of the noble and gallant Lord that the Italians took the first hostile step. However, be that as it may, it skills little to consider how the war began. There the war was, and I doubt whether, after a war has begun, you can claim to enforce engagements which were made before that war began. We have done, as the noble and gallant Lord is aware, our utmost to prevent that war. A Mission was undertaken and carried out most gallantly, in the face of great danger, by Mr. Portal. That Mission was, I believe, performed most skilfully, and all that could be done on our side was done to try and bring the contending parties to an agreement. We were so far unsuccessful, yet I cannot help thinking that our intervention had for its effect the prevention of actual conflict to any serious extent, and I am not without hope that in the long run actual conflict may be avoided. We certainly cannot press again upon Italy our mediation, which has already failed; but the noble and gallant Lord may be quite certain that we are as anxious to prevent the collision of those two Powers as ever we were, and that any opportunity which occurs to us likely to facilitate the restoration of peace and of friendship between those two Powers and the maintenance of them in their respective rights, will be gladly seized by Her Majesty's Government.

EARL GRANVILLE said, the noble Marquess had accurately stated the effect of the Treaty arrangements between this country and Abyssinia at the time Massowa was occupied by the Italians. When he (Earl Granville) held the Seals of the Foreign Office the Italian Ambassador was extremely desirous of knowing our policy with regard to the Red Sea littoral. He replied that our wish was to act in the most friendly manner towards Italy, but that it was not our intention to give away that which did not belong to us, and that any possession of territory must be a matter been Italy and Turkey. Under these circumstances he said that, so far as we were concerned, we had no objections to the Italians taking provisional occupation of certain ports in that territory as a matter between them and Turkey, subject to certain conditions referred to by the noble Marquess. He agreed with the noble Marquess when he said that one could not claim to enforce a Treaty after a war as it might be enforced before a war, and he was right in not attempting to enforce the engagement on either party. At the same time, it was manifest that it would be very much to the interest of the Italians to promote as much as possible a peaceful state of things, and he had no doubt the noble Marquess would do his utmost, as the opportunity presented itself, to bring about a settlement between the two countries.

In answer to Lord NAPIER of MAGDALA,

THE MARQUESS OF SALISBURY said, he imagined that the general rule of

National Law would prevail as regarded Treaties and relations between Italy and Abyssinia. The relations between Italy and Abyssinia, whenever friendly relations were renewed, would depend upon the instrument by which those friendly relations were renewed.

GIBRALTAR.

MOTION FOR PAPERS.

VISCOUNT SIDMOUTH, in rising to ask Her Majesty's Government, Whether it is intended to construct a first-class dock at Gibraltar? and to move for copies of correspondence and reports (if any) that have been addressed to the Admiralty on the subject, said, that since the opening of the Suez Canal the commerce in the Mediterranean had enormously increased, and he had been told by those who had held high command at Gibraltar that the number of vessels passing that place had increased to a very great extent, and that five-sevenths at least of that shipping belonged to England. With regard to the accommodation for our men-of-war, we had literally nothing in the event of war time to provide for repairing them at Gibraltar. The docks at Malta were all they had to depend upon; while Cyprus also seemed to many naval men to hold out a prospect of a fair dockyard. Our Naval Establishment at Gibraltar was of the very smallest, considering the importance of the position with regard to our political relations, as shown during the last war, and to the fact that since then our commerce had increased tenfold, and that there was every reason to believe that as long as the Suez Canal was open it would not only remain in its present greatness, but would materially increase. During the operations of Lord Nelson and the blockade of Toulon, the British ships had been able to remain at sea for several months at a time; but the ships of that day did not require so much repair, and they could also be careened at Gibraltar. At the present day not only men-of-war, but also the large merchant steamers, were liable to accidents to which the old wooden ships had not been liable, and it was impossible to repair them without the assistance of docks. Since he had first considered the propriety of calling their Lordships' attention to this matter he had communicated with several gallant friends, at least four of whom were highly distinguished Admirals, and had asked them as to the necessity for docks at Gibraltar. They had one and all recognized the importance of the question. One of them, who had been in command at Gibraltar, and another, who had been Commander-in-Chief in the Mediterranean, stated that it was of the utmost importance to this country that there should be a dock at Gibraltar, and he knew that he could appeal to the opinion of the noble and gallant Field Marshal who had addressed their Lordships that afternoon. It might be said that there was no site for a dock which would be free from the danger of shelling from the land side; there were, however, four places which were mentioned as possible sites. He would not attempt to give an opinion on this point; some of them seemed undesirable, but one or two appeared to be places in which a dock might be constructed at an expense of not more than £250,000. He trusted that the noble Marquess, who he knew had paid much attention to the question of the defence of this country, would give his personal attention to this matter. He had recently heard from gentlemen who were connected with Gibraltar in a commercial way, and they told him that the need of such accommodation for ships was so strongly felt by the commercial classes there that, once the dock was under construction, the Government would receive unanimous support from the inhabitants of the Colony. In conclusion, he begged to ask whether any communications had been received on the subject, and to move for Papers.

Moved, That there be laid before this House—

"Copies of correspondence and reports (if any) that have been addressed to the Admiralty on the subject of a first-class dock at Gibraltar."—(*The Viscount Sidmouth.*)

LORD NAPIER OF MAGDALA said, that he could entirely support the views of the noble and gallant Lord who had brought forward this Motion. No one could have lived at Gibraltar for any time without being aware of the great necessity for having the means of repairing ships. Regarding the several places named for the construction of docks, he would deprecate any construction on the north front, as it would take away the best defence—a clear plain;

but on the side of the Mediterranean there was a place that might be suitable—Rosea Bay, which would be safe from land attacks, and open only to the attacks to which every place on an open coast was liable—attacks from the sea, from which the fortifications above it would defend it.

LORD ELPHINSTONE said, that Her Majesty's Government fully recognized the advantage that would be derived from the fact of having a dock at Gibraltar. Many schemes had been from time to time submitted to Her Majesty's Government, and recently they had had five; but of these only two had been accompanied by a detailed plan, while of these two, one had not been for the construction of a dock so much as a pier for coaling purposes. The consideration of these various schemes had been delayed pending the receipt of plans and other details which had not yet been received. With regard to the question of sites, no survey had been made by Her Majesty's Government, and the only scheme with a detailed plan was that submitted by Sir W. Reid. There was another scheme suggested by Lloyd's, and two engineers had been sent out for the purpose of examining the proposed site; but they had had no communication with them since last April 12 months. No correspondence whatever had been specially addressed to the Admiralty. There had been an amount of correspondence between various parties and Her Majesty's Government, but it was not considered desirable to lay it on the Table. It was incomplete, and no object would be served by producing it. He hoped, therefore, the Motion for the Papers would not be pressed.

Motion (by leave of the House) *withdrawn.*

COMPANIES RELIEF BILL.—(No. 241.)

(*The Earl of Crawford.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF CRAWFORD, in moving that the Bill be now read a second time, said, that its object was to do away with certain doubts which had arisen as to whether certain shares had been issued by certain Companies in a legal manner. Public Companies might be mainly treated as falling under two heads, those incorporated by special Acts of Parliament and the Companies which had arisen under the Joint Stock Companies' Act. The 25th section of the Companies' Act, 1867, provided that shares in any Company should be deemed and taken to have been issued and to be held subject to the payment of the whole amount thereof, unless the same should have been otherwise determined by contract made in writing, and filed with the register. That clause had been read as empowering a Company to issue shares with a certain amount written off as nominally paid up. Until the year 1882 that understanding was not called in question; but in that year there was a celebrated case—the Ince Hall case—in which a liquidator of the Company which was being wound up called upon the shareholders to pay up in full on certain shares which they had taken with a certain amount of money credited as paid up. The case was taken before Mr. Justice Chitty, who decided that the law had been properly carried out. Since that time a very large number of Companies had taken advantage of that rendering of the law, and something like £15,000,000 or £16,000,000 of capital had been taken up upon the faith of Mr. Justice Chitty's decision. However, the Lords Justices Cotton, Lopes, and Fry had this year decided that Mr. Justice Chitty's decision was erroneous, and had laid it down that shares in a Company under the Companies Acts must be paid for in full, either in money or in money's worth, and that the section only provided for cases in which payment was made in some other mode than in cash—for instance, in the transfer of property or in the supply of goods. There was no desire in any way to dispute the correctness of the law as laid down in the High Court of Appeal. But, on the other hand, those for whom he spoke asked with confidence at their Lordships' hands that they might receive what might be called a Bill of Indemnity for having unwittingly offended against the law while following the law as laid down by one of Her Majesty's Judges. No harm would be done to anyone if they were relieved. He would point out to their Lordships that they had this very Session passed a Bill for the purpose of rendering certain marriages legal, and he thought that, in asking their Lord-

ships to given a second reading to this Bill, he was doing no more than an act of justice to those who had done wrong. If their Lordships were so good as to read the Bill a second time, he should not ask them to go into Committee before the Adjournment; but he hoped he would be allowed to proceed with the Bill in the Autumn.

Moved, "That the Bill be now read 2ª." —(*The Earl of Crawford.*)

LORD BRAMWELL said, he thought that it would be a very good thing if this Bill were passed into law. The Companies had done what the Court of Appeal had held to be *ultra vires*, and probably their Lordships would consider themselves bound by that decision. Unfortunately, the Court had not decided anything else but that a plaintiff in a particular case, and in particular circumstances, was entitled to the return of his money. All that had been decided was that, in allotting shares in a particular case at a discount, the defendant Company had acted *ultra vires*. Many cases might arise from such an allotment. First, there might be the ordinary case of the man to whom the shares had been allotted claiming his money back. Then, if there was a liquidation, the liquidator might call upon the man to whom the shares had been allotted at a discount to pay up the residue so that he should be in truth a holder at par. A third possible case was that other shareholders might complain and say—"You, the Directors, have issued these shares *ultra vires*, and we are entitled to indemnity from you for having introduced into this concern men who have not paid their shares in full." He thought these cases opened up a large field of possible litigation, and it seemed to him that if this Bill were passed into law it would really be for the benefit of all parties concerned, and would prevent an immense amount of litigation. He believed that, at the present moment, there was no appearance of dissatisfaction at what had been done on the part of any persons concerned that made it likely there would be any objection to this Bill passing into law. If their Lordships read the Bill a second time, and postponed the Committee stage, it would give time for any expressions of dissatisfaction to be made.

LORD FITZGERALD said, he did not rise for the purpose of opposing the Bill, for he thought it should be now read a second time, in order to affirm the principle that something ought to be done in the matter. He must, however, confess that he would not himself be satisfied to pass a Bill embracing property to the extent, as the noble Earl had pointed out, of some £13,000,000, without sufficient inquiry. He, therefore, suggested that the Bill should be referred to a Select Committee, in order that the interests of the various parties might be thoroughly gone into and considered.

Motion *agreed to*; Bill read 2ª accordingly.

SWEATING SYSTEM.

REFERENCE TO THE SELECT COMMITTEE.

THE EARL OF DUNRAVEN, in moving to amend the Reference to the Select Committee appointed to inquire into the sweating system at the East End of London by omitting the words "at the East End of London" and inserting the words "in the United Kingdom," said, he thought he would be perfectly safe in saying that in asking for an enlargement of the field of their labours the Committee were not labouring under any sense of dissatisfaction at the extent of that field already. The reason they wished for an extension was that it was found that business was carried on by individuals or firms not only in the East End of London, but in various other districts in London, and also in various other towns and cities in the country, and in some cases in the rural districts. It was impossible to make a searching inquiry without pursuing the subject through its various stages and branches. That was the principal reason. It was really impossible to carry out the intention of the present Reference without transgressing the bounds of that Reference. It was also more than probable that evils, the same or very similar to those which existed in the East End of London, prevailed also in the other parts of London and in many of the great cities and towns of the country. The Committee therefore thought it was highly desirable, and, in fact, necessary for a searching inquiry, that the field of their inquiry should be enlarged sufficiently to embrace those other cities and towns. If their Lordships were good

enough to extend the Reference, of course it would cause some delay in bringing to a conclusion this investigation into matters of great importance to many interests and individuals, but he did not think it would cause such great delay as might be anticipated. He did not think he was over sanguine in hoping that the inquiry, so far as the East End of London was concerned, might be brought to a close in the course of the present Session and the Autumn, and if their Lordships saw fit to re-appoint the Committee next Session, he did not think the enlargement of the field of inquiry would add very materially to the length of its sitting. The aspects of the case in the country were very similar to what they were in London, and therefore the consideration of the matter would not occupy a very great length of time.

Moved, To amend the reference to the Select Committee appointed to inquire into the sweating system at the East End of London by omitting the words "at the East End of London," and inserting the words "in the United Kingdom."—(*The Earl of Dunraven.*)

THE EARL OF MEATH said, he cordially supported the Motion. The Committee, by the original Reference, had had their labours limited to only a small portion of the United Kingdom; but he ventured to observe that the indirect action of that Committee had already benefited a larger number of Her Majesty's poorer subjects than any legislation which had passed through Parliament this Session. If that was the case, he thought their Lordships would act rightly, if they extended the powers of the Committee so that they might inquire into the case of the other large towns of the United Kingdom. Social questions, he believed, were really of much more importance to the working classes of this country than any purely political question could be. What did it matter to ordinary working men whether political Parties quarrelled and bickered across the Benches of Parliament? That affected them very little. It might be an excitement to read in the newspapers that one hon. Member had called another by some un-Parliamentary name, but it made very little difference to the working man, whereas the direct action of such a Committee as this really met the difficulty which he had to contend with. A fair day's pay for a fair day's work was of real importance to the working man, who ought to know that he was receiving fair remuneration for his labour, that competitors would not be allowed to grind him to the earth, and that Parliament would not permit injustice to be done to anybody, however low he might be in the social scele, or however dependent he might be upon society at large. The compromise made by a well-known firm in London the other day was a direct result of the Committee over which the noble Earl presided. His only regret was that that concession was not made earlier. If it were known to-morrow that the scope of the inquiry was to be extended to the whole of the United Kingdom, there would be much searching of hearts, and employers of labour would in many a factory and workshop see that their house was in order. He was not sanguine that much legislation would come from this Committee, but he felt certain that very great benefit would accrue therefrom to the working classes, and therefore it was that with the greatest pleasure he supported the Motion of the noble Earl.

Motion *agreed to.*

INCOME TAX ON CHARITIES.

MOTION FOR PAPERS.

LORD ADDINGTON, in rising to call the attention of the House to the action of the Inland Revenue in refusing to refund to charitable societies the Income Tax previously levied, and from the payment of which they had been always exempt; and to move for (1) correspondence in 1863 between the Inland Revenue and the Treasury (reprint from "Charities," 1865); (2) statement of amounts on which Income Tax was refunded in 1886-87, specifying the various classes, as educational, religious, hospitals, doles, &c.; (3) statement of claims for restitution of Income Tax rejected since August, 1887, specifying the nature of the charity and the reason for the rejection, said, that one of the prominent features of Mr. Gladstone's Budget in 1863 was a proposition to levy taxation on charities. That proposition was very widely discussed, and most of the Members of Her Majesty's Government sitting near him, particularly the present Prime Minister, took an active part in the debates. The proposal was in the end

withdrawn, scarcely a voice having been raised in its favour. Although Mr. Gladstone signally failed in his crusade against charities in 1863, the Inland Revenue Department was now endeavouring to attain the same object by a *coup de main*, and without any legislative sanction whatever. He would endeavour to describe the operation by taking a particular instance. Many Members of that House were connected with the Church Building Society. In October last the secretary of that society brought word to him that, after having made the usual application for a return of the tax which had been levied, the application was refused. He made no objection to the Inland Revenue requiring a renewal of claims for exemption, and that those claims be scrutinized, for he was prepared to admit that there might have been abuses. But he did object to the Inland Revenue acting upon its own interpretation, and making a rule of action which involved a breach of a practice which had been observed for 45 years. He made representations to the Department and claimed indulgence on this ground, but the Secretary of the Inland Revenue wrote to the Church Building Society declining to return the Income Tax. He was utterly unable to appreciate the principles of interpretation applied by the Department to the Exemption Clauses of the Income Tax Act, 1842, and he found it especially difficult to understand why there should be special exemption in the case of repair and not in the building and enlargement of churches. Instructive Correspondence on this question passed between the Inland Revenue and the Treasury in 1863 and 1865, and a Minute was prepared by Mr. Gladstone on the question in 1863. He strongly objected to a Government Department like the Inland Revenue taking upon itself to make new rules of interpretation of an Act of Parliament, and to constitute itself the dispenser or non-dispenser of Income Tax. The question was raised for judicial decision in Scotland in the case of the Baird Trustees; but the decisions of a Scotch Court did not govern the judgment of an English Court, nor were the decisions adverse to the Baird Trustees applicable to the case of the "Incorporated Society for Building, Enlarging and Repairing Churches." He concluded by formally submitting his Motion.

Moved, That there be laid before this House—

1. "Correspondence in 1863 between the Inland Revenue and the Treasury (reprint from 'Charities,' 1865).

2. Statement of amounts on which income tax was refunded in 1886-87, specifying the various classes, as educational, religious, hospitals, doles, &c.

3. Statement of claims for restitution of income tax rejected since August, 1887, specifying the nature of the charity and the reason for the rejection.

4. Any correspondence between the Inland Revenue and trustees of charities and the Charity Commissioners bearing on the new procedure of the Inland Revenue."—(*The Lord Addington.*)

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): The question which my noble Friend has brought forward he has illustrated by a wealth of sentiment and exhortation in a spirit in which we must all very heartily agree, and I am sure everyone who has listened to my noble Friend has not only done justice to his motives, but has seen the great advantages of the objects which he is pursuing. But the matter in respect to which his speech is delivered is truly nothing but a question of dry law. By the Income Tax Act the property of charitable institutions is exempt from Income Tax, but the question is what does "charitable" mean? One definition was given and prevailed for a great number of years. It was never challenged in a Court of Law, and the Inland Revenue was guided, as it is bound to be guided, by the decision of its official superiors. One day it was taken to a Court of Law—a Scotch Court—and it has been submitted not only to the Court of First Instance, but to the Court of Appeal, and the decision of the Scotch Judges, I think four in number, has been to the effect that the word "charitable" has hitherto been too widely interpreted, and that for the future it must be interpreted more narrowly. My noble Friend criticized that judgment of the Scotch Judges with great severity. It is not my business to defend them, but when Judges pronounce a decree, what we have to do is not to criticize, but to obey. We have no power to refuse to obey the decision which the Judges have given; and the Inland Revenue Department was not only within its right, but it was acting within the bare lines of its absolute duty, when,

having got an Act of Parliament interpreted by a Court of competent jurisdiction, it henceforward acted upon that interpretation, and not upon the interpretation which it had previously given. That decision of the Courts of Scotland is not final. It can be taken up to this House. It never has been. If it is, it will be submitted to the judicial action of this House, and we should know finally what the law is upon the point. If the societies are unwilling or unable to procure the appeal of the Scotch case to this House, they can raise the matter in the English Courts, and have the opinion of the English Courts of Appeal, and, if necessary, can come by that road to the final judgment of this House; but there is no way of disturbing or overruling a judgment of a Court of competent jurisdiction, except by the judgment of a Superior Court of Appeal, and no amount of exhortation to the Government, no criticism, however acute or severe, can have the faintest effect in disturbing the judgment which the Court below has given. My noble Friend proposed that the Government should give facilities for the trying of this cause. I cannot answer that question offhand. I do not know enough of the technical circumstances of one of these fiscal suits to say how far it would be in our power to meet my noble Friend on that point, but I beg him not to run away with the idea that this is any question of policy, or that it argues any opinion on questions of policy on the part of Her Majesty's Government. It is a question of bare law which the Judges have pronounced, and, until the Judges are overruled, we must obey the law.

In reply to Lord ADDINGTON,

THE MARQUESS OF SALISBURY said, he had no objection to give the Correspondence and statements for which the noble Lord moved.

Motion *agreed to.*

LIBEL LAW AMENDMENT BILL.

(*The Lord Monkswell*)

(NO. 244.) THIRD READING.

Bill read 3ª (according to order).

Moved, "That the Bill do pass."

THE EARL OF MILLTOWN moved in Clause 4, relating to newspaper reports of proceedings of public meetings and of certain bodies and persons privileged, to insert after the words providing that nothing in that section should protect the publication of any matter not of public concern the words "nor of any matter not published for the public benefit." He did not see why they should be more anxious for the interest of the newspapers than the newspaper proprietors themselves.

Amendment *moved*, in Clause 4, page 2, line 16, after ("concern") to insert ("nor of any matter not published for the public benefit.")—(*The Earl of Milltown.*)

LORD MONKSWELL said, he must oppose the Amendment. What the journalists wanted was that the law should be clear, and that they should know what they could publish and what they could not. It was sometimes desirable that there should be reports of the proceedings before local bodies with regard to the conduct of some prominent official, but there were also cases where it was not desirable. The great difficulty was to know where to draw the line, and the journalists considered that the words "public concern" allowed them to say where the line should be drawn.

On Question? Their Lordships *divided*:—Contents 12; Not-Contents 19: Majority 7.

CONTENTS.

Buckingham and Chandos, D.	de Ros, L.
	Ellenborough, L.
	Macnaghten, L.
Kingston, E.	Stanley of Alderley, L.
Milltown, E. [*Teller.*]	Stratheden and Campbell, L.
	Tyrone L. (*M. Waterford.*)
Balfour, L.	
Brabourne, L. [*Teller.*]	Ventry, L.

NOT-CONTENTS.

Halsbury, L. (*L. Chancellor.*)	Elphinstone, L.
	FitzGerald, L.
Cadogan, E. (*L. Privy Seal.*)	Hartismere, L. (*L. Henniker.*)
	Herschell, L.
Exeter, M.	Hopetoun, L. (*E. Hopetoun.*)
Salisbury, M.	
	Kensington, L. [*Teller.*]
Brownlow, E.	
Waldegrave, E.	Kintore, L. (*E. Kintore.*)
Cross, V.	Knutsford, L.
Oxenbridge, V.	Monkswell, L. [*Teller.*]
	Shute, L. (*V. Barrington.*)
Chaworth, L. (*E. Meath.*)	

Amendment *moved*, after Clause 4, to insert the following Clause:—

"Where any person makes a speech to a meeting, and a report containing libellous words, purporting to be a report of such speech, is published in any newspaper, then, on proof that the words so published, or words of like import, were uttered by the person making such speech, that person shall, in the event of any civil proceedings being instituted against him for libel in respect of such words, be deemed for the purposes of such proceedings to have himself written and published the libellous words attributed to him in such report, or words of like import. The report so published shall be *primâ facie* evidence of the words therein attributed to the speaker having been spoken, but it shall be competent to him to prove any inaccuracy in the report, or any matter explaining the words attributed to him. Such proceedings, if taken, shall be in substitution for, and not in addition to, any proceedings, whether civil or criminal, that may be instituted against him."—(*The Marquess of Waterford.*)

LORD MONKSWELL said, he must oppose the Amendment.

LORD HERSCHELL said, he also took objection to the Amendment.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) said, he was in favour of the Amendment.

THE EARL OF MILLTOWN said, he agreed with the noble Marquess, and should vote for the Amendment.

LORD FITZGERALD, in taking objection to the Amendment, complimented the noble and learned Lord (Lord Monkswell) on the ability and skill with which he had conducted the Bill through the House.

On Question? Their Lordships *divided*:—Contents 24; Not-Contents 5: Majority 19.

CONTENTS.

Halsbury, L. (*L. Chancellor.*)	Brabourne, L.
Cadogan, E (*L. Privy Seal.*)	Chaworth, L. (*E. Meath.*)
Buckingkam and Chandos, D.	de Ros, L. [*Teller.*]
Exeter, M.	Ellenborough, L.
Salisbury, M.	Elphinstone, L.
Brownlow, E.	FitzGerald, L.
Kingston, E.	Hopetoun, L. (*E. Hopetoun.*)
Milltown, E.	Kintore, L. (*E. Kintore.*)
Waldegrave, E.	Macnaghten, L.
Cross, V.	Shute, L. (*V. Barrington.*)
Balfour, L.	Stanley of Alderley, L.
	Tyrone, L. (*M. Waterford.*) [*Teller.*]
	Ventry, L.

NOT-CONTENTS.

Oxenbridge, V.	Monkswell, L. [*Teller.*]
Hersehell, L.	Stratheden and Campbell, L.
Kensington, L. [*Teller.*]	

LORD HERSCHELL moved to insert the following Proviso:—

"Provided that, in England, if it can be proved to the satisfaction of the Court that the speaker did not know and had no reasonable cause to suppose or believe, and could not with reasonable care have ascertained, that his speech would be published, he shall not be deemed to have authorized such publication."

He thought it was not fair that a man should be deemed to authorize a publication he never dreamed of authorizing.

THE LORD CHANCELLOR (Lord HALSBURY) said, he doubted very much whether the noble and learned Lord could move an Amendment at this stage without Notice.

LORD MONKSWELL said, as an instance of an unauthorized report, that on one occasion he was at a semi-political dinner, and a report of three-quarters of a column was published altogether without anyone's knowledge.

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): I do not suppose anyone would utter a slander at dinner.

THE MARQUESS OF SALISBURY said, that if words were slanderous they were slanderous whether spoken in the presence of reporters or not. He thought the clause would have a very salutary effect.

Amendment *negatived.*

On the Motion of The Marquess of SALISBURY, the following Proviso was inserted:—

"Provided also that no proceeding under this section shall be taken more than two months after the words were uttered."

On the Motion of Lord MONKSWELL, the following Proviso was also inserted:—

"Provided also that the speaker shall be entitled to any defence of privilege arising from the occasion on which the words were spoken which he would have had in case the spoken words had been of themselves actionable."

THE MARQUESS OF SALISBURY moved a Proviso excluding from the operation of the clause the debates in both Houses of Parliament.

LORD HERSCHELL asked why, when they were making law of this kind for

public meetings, Members in this House and in the House of Commons should not equally be made amenable for statements they made in Parliament that were of a like nature?

THE MARQUESS OF SALISBURY pointed out that Parliament had the power in its own hands of dealing with the utterances of its Members, and he thought it would be better to reserve that power to the two Houses of Parliament.

Amendment *agreed to*.

THE EARL OF MILLTOWN said, he hoped that hon. Members in "another place" would adhere to the wording of Clause 4 as it came up to their Lordships' House. He trusted they would restore the useful words which the noble Lord had somehow or other contrived to excise.

Bill *passed*, and sent to the Commons; and to be *printed* as amended. (No. 252.)

REFORMATORY SCHOOLS BILL [H.L.]

(NO. 250.)

A Bill to consolidate and amend the Acts relating to reformatory schools in Great Britain: And

INDUSTRIAL SCHOOLS BILL [H.L.]

(NO. 251.)

A Bill to consolidate and amend the Acts relating to industrial schools in Great Britain.

Were *presented* by The Earl Brownlow; read 1ª.

House adjourned at half past Seven o'clock to Monday next, a quarter past Four o'clock.

HOUSE OF COMMONS,

Friday, 3rd August, 1888.

MINUTES.]—SELECT COMMITTEE—*Report*—Pilotage [No. 324].

SUPPLY—*considered in Committee*—CIVIL SERVICES AND REVENUE DEPARTMENTS, Further Vote on Account, £7,712,800; ARMY ESTIMATES.

PUBLIC BILLS—*Report from Standing Committee on Law and Courts of Justice, and Legal Procedure*—Liability of Trustees [No. 323].

Withdrawn—Doddingtree and Bewdley Bridges [352].

Lord Herschell

QUESTIONS.

INDIA—PUBLIC SERVICE COMMISSIONERS—THE REPORT.

MR. JOHNSTON (Belfast, S.) asked the Under Secretary of State for India, Whether the decision of the Viceroy of India on the Public Service Commissioners' Report has been received at the India Office; whether he will state to the House the purport of that decision; and, whether any conclusion has been come to as regards the limit of age of candidates for the Indian Civil Service; and, if so, when any change is likely to come into operation?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): No decision has yet been come to by the Government of India on the Report of the Public Service Commissioners. Apart from the Report, there is no intention of altering the limit of age for candidates.

INDIA—MERCHANDIZE MARKS ACT, 1887—EXTENSION TO INDIA.

MR. HOWARD VINCENT (Sheffield, Central) asked the Under Secretary of State for India, If the attention of the Governor General in Council has been directed to the extensive frauds committed on British industry by the piracy of the names, labels, and trade marks of British manufacturers well known in the East upon cutlery and other goods imported into India from foreign countries; and, what steps have been taken to extend to India the provisions of "The Merchandize Marks Act, 1887," and how soon they are likely to come into operation?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The attention of the Government of India has been several times called to this subject. With reference to the action taken in India, I have nothing to add to the answer given by me on June 7, except that a despatch in the sense then promised was sent to India on June 28.

WAR OFFICE (AUXILIARY FORCES)—MILITIA—MUSKETRY EXERCISE.

MR. RADCLIFFE COOKE (Newington, W.) asked the Secretary of State for War, Whether the total number of

Militiamen, stated in paragraph 4, page 85, of the Army Orders for April, 1888, to have been wholly or partly exercised in musketry in the year 1887—namely, 59,667—does or does not include the 21,584 recruits stated in paragraph 14 to have been exercised in that year; and, whether the 21,584 recruits fired 40 rounds as recruits and 40 rounds as trained soldiers, making a total of 80 rounds, or whether they fired 40 rounds as recruits only?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Twenty-one thousand five hundred and eighty-four Militia recruits fired 40 rounds as such, and 59,667 Militiamen fired 40 rounds as not in the recruit stage; but of the latter, 5,250 had previously fired during the year as recruits. Therefore, they had fired 80 rounds, and the actual number in all who fired was 76,001.

WAR OFFICE (AUXILIARY FORCES)—THE GLAMORGAN ARTILLERY VOLUNTEER CORPS.

COLONEL HILL (Bristol, S.) asked the Secretary of State for War, Whether, in the issue of 16-pounder field guns to the Volunteers, it has been decided to withhold them from the Glamorgan Artillery Volunteer Corps; and, whether, considering the large extent and undefended position of the Glamorganshire seaboard, he would consider the abvisability of allowing the above-mentioned corps the four 40-pounder guns about to be surrendered by the Worcester Artillery Volunteer Corps?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): In case of mobilization, the Glamorgan Artillery Volunteers would be required to man a portion of the Severn defences. Under these circumstances, it is not considered advisable to issue guns of position to the corps at present; but their request for them has been noted.

INDIA—THE TEA COMPANIES—THE GOVERNMENT EXCISE SYSTEM (DARJEELING).

SIR ROPER LETHBRIDGE (Kensington, N.) asked the Under Secretary of State for India, Whether the attention of Her Majesty's Government has been directed to the correspondence recently published between the Deputy Commissioner for Darjeeling and the General Manager of one of the largest local Tea Companies, in which great pressure was put upon the latter to open grog-shops on his estates with a view to "the protection of the revenue and the enforcement of the law;" whether a very large number of the managers of tea gardens in the Darjeeling District have signed a document protesting against the Government Excise system; and, whether the Secretary of State will take any steps to put a stop to the establishment of these grog-shops in the public and private bazaars of India?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The Secretary of State has no official information on this subject; but he will inquire from the Government of India what action the Local Government is taking in the matter.

INLAND REVENUE—THE SUCCESSION DUTIES (IRELAND).

MR. COWLEY LAMBERT (Islington, E.) asked Mr. Chancellor of the Exchequer, If he will consider the advisability of bringing in a Bill for the purpose of making some equitable concessions to landlords in Ireland when paying succession accounts, taking into consideration the enormous reductions in rents that have been made by recent Acts of Parliament?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I must remind the hon. Member that the privilege of paying Succession Duty by instalments is in itself a concession. The duty is due when the property changes hands, just as much as Probate Duty, and is accordingly calculated on the value of the property at that moment. Whether the value may rise or fall in subsequent years is immaterial, and of itself constitutes no stronger claim to relief than there would be in the case of a man who found the stocks or shares on which he had paid Probate Duty falling in value. The hon. Member's Question refers only to Irish landlords; but I need not say that "enormous reductions of rent" have taken place in other parts of the United Kingdom, and that it would be impossible to make a concession to some landlords and not to all in

the same position. I cannot undertake to bring in such a Bill as the hon. Member desires; but I can assure him that all cases of real hardship, where there is difficulty in paying the duty, will be treated as leniently as possible.

ARMY (INDIA)—THE STANLEY ENGINEERS—"ABSENTEE PAY."

COLONEL HILL (Bristol, S.) asked the Under Secretary of State for India, Whether, having regard to the provisions contained in paragraph 23, page 12, of the Memorandum attached to, and referred to by, the covenants entered into between the Secretary of State for India and the Stanley Engineers with respect to "absentee pay," that 10 rupees should equal £1, and to the terms of section 161, paragraph 2, clause 6, exception 2, of the Civil Leave Code, whereby the rights of such officers whose covenant dates prior to 1871 are distinctly safeguarded, he can state why these officers are not allowed to receive their "absentee pay" at the rate of 10 rupees to the £1, in accordance with the above quoted Regulations?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The Secretary of State cannot admit the premisses on which the Question is based. No Memorandum was attached to, or referred to by, the covenants of the Stanley Engineers. The Memorandum to which reference is made is probably one furnished to the candidates for the Public Works Department; it does not say that 10 rupees shall equal £1. Section 161, paragraph 6, exception 2, of the Civil Leave Code applies to certain early covenants, which stated that the £1 should be taken as equivalent to 10 rupees; but not to those of the Stanley Engineers.

NATIONAL EDUCATION (IRELAND)—SIR PATRICK J. KEENAN, RESIDENT COMMISSIONER.

DR. KENNY (Cork, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. P. J. Keenan was appointed paid Resident Commissioner of National Education (Ireland) in succession to the late Alexander M'Donnell, at a salary of £1,000 per annum; whether said salary was subsequently raised to £1,200 per annum; whether his predecessor, Mr. M'Donnell, had resided up to his decease in the official residence, Tyrone House, provided for the paid Resident Commissioner of National Education (Ireland); whether Mr. Keenan, having represented to the authorities that there was not sufficient accommodation in Tyrone House, the office of the National Board of Education (Ireland), for the clerical staff of the establishment, was permitted to reside off the premises, and was allowed by the Treasury £300 per annum for the rooms he relinquished; and if he will state on what grounds so large a sum was allowed for said rooms?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Sir Patrick Keenan was appointed Resident Commissioner on precisely the same terms as his predecessor, the Right Hon. Sir Alexander M'Donnell—namely, £1,000 a-year, with furnished residence, fuel, light, &c., valued at £200 a-year. Sir Alexander M'Donnell had resided in the official residence up to his retirement, not to the date of his decease, which occurred some four years after. The allegation that Sir Patrick Keenan made any representation to the authorities on the subject of his official residence is without a particle of foundation. The Treasury, of their own accord, withdrew 15 years ago the residence, and granted in lieu thereof its money value—namely, £200 a-year, making a total allowance of £1,200 a-year. In the following year (1874), in accordance with a recommendation of the Treasury Departmental Committee of Inquiry into Public Offices, the salary was raised from £1,000 to £1,500 a-year, the allowance for a house of £200 a-year being at the same time abolished.

DR. KENNY asked, if Sir Patrick Keenan was given an increased salary because his services were so much more valuable than those of Sir Alexander M'Donnell?

MR. A. J. BALFOUR: The hon. Gentleman should ask the Departmental Committee of the Treasury, who decided to raise the salary—a Committee presided over by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone).

POST OFFICE—CLERKS ON THE SPECIAL STAFF.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Postmaster

General, If the clerks on the special staff in the Post Office who perform duty from 5 p.m. to 2 a.m. receive any time for dinner; whether some clerks perform overtime work from 2 p.m. to 5 p.m., and others from 12 noon to 3 p.m., and if the latter are allowed any dinner time; whether the clerks who perform overtime from noon to 3 p.m. (14 hours) are allowed dinner time; and, why this difference is made?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): Telegraphists whose duty begins at 5 in the evening are not allowed any time for dinner; neither are those whose duty begins at 2 in the afternoon. They are expected to have dined before they arrive. Between 12 noon and 3 p.m. no dinner time is allowed to telegraphists performing overtime work unless this work happens to be continuous with their ordinary work.

RIOTS AND DISTURBANCES (IRELAND)—THE O'BRIEN NATIONALIST FLUTE BAND, ANTRIM.

MR. MACARTNEY (Antrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has received any information of an occurrence alleged to have taken place at Antrim, in which members of an excursion connected with the O'Brien Nationalist Flute Band behaved in a riotous and disorderly manner endangering the lives of many people, and disturbing the peace in Antrim, and also while passing along Antrim Road, Belfast; whether the police are taking any steps to secure the parties causing these disturbances; and, whether any arrests have been made?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The District Inspector of Constabulary reports that the excursionists did behave in the riotous manner stated in the Question. The police have identified several of the people concerned, and prosecutions are being instituted against them.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, whether the right hon. Gentleman would grant an inquiry, in order that men whose character was aspersed might be enabled to clear themselves?

MR. A. J. BALFOUR said, he had already stated that legal proceedings were being instituted.

AFRICA (CENTRAL AND EAST)—THE SLAVE TRADE.

MR. MAC NEILL (Donegal, S.) asked the Under Secretary of State for Foreign Affairs, Whether the attention of the Prime Minister, in his capacity of Secretary of State for Foreign Affairs, has been directed to the proceedings of a meeting of the British and Foreign Anti-Slavery Society, held in London yesterday, and presided over by Earl Granville, at which His Eminence Cardinal Lavigerie confirmed by personal experience the testimony of recent travellers as to the increase of the Slave Trade in the centre and east of Africa, and detailed the horrors with which that traffic is accompanied; and, whether, having regard to the dissatisfaction and suspicion occasioned by the withdrawal of H.M.S. *London* from Zanzibar, and the increase of the Slave Trade in East Africa, Her Majesty's Government will take any, and what, steps for the suppression of this evil?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The Secretary of State is aware of the proceedings referred to in the hon. Gentleman's Question. No doubt, the Slave Trade is active in the interior of Africa, and attended with immense suffering; but, probably, it is not more prevalent than formerly, while its chief seats have been shifted, and we are better informed of it through the settlers upon the Lakes. The withdrawal of Her Majesty's ship *London* from Zanzibar is not a recent event, but took place more than four years ago. She was not a sea-going ship, but was stationed at Zanzibar for the purpose of suppressing the export trade in slaves from the mainland. She could thus only operate by means of her boats, and her maintenance was very costly. The economy effected by her withdrawal has enabled us to increase our efforts at suppression by enlarged Consular supervision on the mainland, while the slavers are dealt with more conveniently by cruisers. The Slave Trade should be more completely checked when the British and German East African Companies administer the coast under their con-

cessions from the Sultan. It is obviously impossible for Her Majesty's Government to follow the Arab slave traders into the interior of the Continent; but good results may be anticipated from the opening of trade routes by powerful Companies, and from the increasing difficulties of exporting the slaves. These have been the means by which the Slave Trade became a thing of the past on the West Coast, even before slavery was abolished in the countries which formed its inducement. Legitimate trade is the only true antidote for the terrible mischief of the Slave Trade, and its encouragement has been the object of all our recent policy. At the same time, we must carry on repression and punishment. We are acting in connection with other civilized Powers; we are neglecting no means; and I am glad to say that the new Sultan of Zanzibar is lending all the assistance in his power.

CHURCHYARDS AND CEMETERIES—WHITTON GILBERT CHURCHYARD.

MR. MILVAIN (Durham) asked the Secretary of State for the Home Department, Whether his attention has been called to an article published in *The Durham Chronicle* of July 13, 1888, upon a scandal at the condition of Whitton Gilbert Churchyard, in the County of Durham; whether he will cause inquiries to be made into the truth of the allegations contained in the said article; and, whether, if found to be correct, the facts are such as will justify him in closing the churchyard?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; my attention has been called to this matter. I have directed the Inspector of Burial Grounds to hold an inquiry into the state of this churchyard at the earliest possible date.

WAR OFFICE—THE PIPERS OF THE SCOTTISH REGIMENTS.

DR. FARQUHARSON (Aberdeenshire, W.) asked the Secretary of State for War, Whether it is the fact that the pipers of some of the Scottish Regiments wearing trews do not receive a free issue of clothing as supplied to the pipers of the Highland Light Infantry; and, if so, whether he will take steps to place these corps on an equal footing?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Clothing for pipers is only supplied at the public expense for those Scottish regiments on whose establishment pipers are borne. Other regiments which have pipers obtain their clothing under an arrangement, and are credited with the value of the rank and file clothing they do not use.

WAR OFFICE—CYPRUS—ISSUE OF BEEF TO THE TROOPS.

ADMIRAL FIELD (Sussex, Eastbourne) asked the Secretary of State for War, Whether it is a fact that a General Order exists in Cyprus prohibiting the issue of beef, bred and fed in the Island, to our troops quartered there, and that, consequently, the necessary animals are imported from Russia and elsewhere for the purpose; and, whether he is aware that great and successful efforts have been made to improve the quality of the beef raised in the Island since the occupation, so that competent judges now declare that it is equal to, if not better than, the imported beef; and, if this be true, whether he will give instructions that native grown beef shall, in future, be accepted, and even a preference given to it, provided it is equal in quality and price to that hitherto imported by the commissariat, with a view to encourage native enterprize in this not too flourishing British Dependency?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The contract for the supply of beef in the Island of Cyprus requires that it shall be imported; and the officer commanding, in his last Report, described the Cypriote horned cattle as of small size and underfed, and stated that a local supply of beef of sufficiently good quality could not be relied upon. Provided, however, the proper standard of quality can be maintained, I shall be glad to encourage local breeding as far as may be practicable.

ALLOTMENTS ACT, 1887—ACQUISITIONS OF LAND.

SIR WALTER FOSTER (Derby, Ilkeston) asked the President of the Local Government Board, Whether he can state the number of cases in which representations have been made to Sanitary Authorities under "The Allotments

Act, 1887," asking them to take proceedings under the Act; and, the number of cases (if any) in which Sanitary Authorities have, subject to the provisions of the Act, acquired, either by purchase or hire, suitable land to provide allotments, and let such land in allotments to persons belonging to the labouring population?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): I am unable to state what is the number of cases in which representations have been made to Sanitary Authorities under the Allotments Act, 1887, asking them to take proceedings under that Act, or the number of cases in which the Sanitary Authority have acquired land and let it for allotments. It is only in cases where a Sanitary Authority proposed to borrow for the purpose of allotments that it is necessary that any communication should be made to the Board with reference to the acquiring of land for allotments.

ALLOTMENTS ACT, 1887—THE COMPULSORY CLAUSES.

MR. F. S. STEVENSON (Suffolk, Eye) asked the President of the Local Government Board, In how many instances, since the passing of the Allotments Act, have applications been made to the Local Government Board by Sanitary Authorities with the object of putting in force the compulsory clauses?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The Local Government Board have not yet received formal Petitions under the Allotments Act for powers of compulsory purchase of land. I would remind the hon. Member that such applications can only be made after advertisements have been issued and notices served, at the earliest in the months of September and October.

CROFTERS' COMMISSION—VALUATIONS ON THE SUTHERLAND ESTATE.

MR. A. SUTHERLAND (Sutherland) asked the Lord Advocate, Whether he is aware that Mr. James Blake, who is employed by the Crofters' Commission to value the holdings of crofter on the Sutherland Estate in Assynt, in the County of Sutherland, is tenant of a large farm on the estate of a near relative of the proprietor of the Sutherland Estate, and that Mr. Blake has several relatives holding farms on the Sutherland Estate; whether one of the applications which fall to be considered by the Commission, and the subject of which Mr. Blake will be called upon to value, is a portion of grazing land which the local factor promised to the crofters of Elphin, in the said parish of Assynt, but which was afterwards added to the adjoining sheep-run, of which Mr. Blake's nephew is the tenant; whether he is aware that some of Mr. Blake's relatives have for many years been in the direct pay and employment of the Sutherland Estate, and that Mr. Blake himself has been frequently employed on the Sutherland Estate as private valuer; and, whether, in these circumstances, the Secretary for Scotland will use his authority to secure the appointment of a valuer whose antecedents are free from any pecuniary relations with the parties interested in fixing a fair rent in this case?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I have no knowledge of the facts stated in the Question; but it is for the Commissioners to decide whether there is ground for not employing any particular valuator in any particular district. The Secretary for Scotland has directed a communication to be made to the Commissioners, informing them of the purport of the hon. Member's Question, and no doubt they will inquire into the matter.

PUBLIC HEALTH—TUBERCULOSIS IN CHILDREN—DR. WOODHEAD'S LECTURE.

DR. FARQUHARSON (Aberdeenshire, W.) asked the noble Lord the Member for Lewisham, Whether his attention has been called to the following extract from a lecture delivered at the University of London by Dr. Sims Woodhead, Sanitary Research Scholar of the Grocer's Company, and reported in *The Lancet* of July 14:—

"It is, of course, impossible to bring direct experimental proof to bear on the case of the human subject; but the indirect evidence recently adduced by various Continental observers, and the examination of series of cases, should be very strong evidence indeed that in children, especially those who are subject to the wretched hygienic treatment and bad feeding to which, unfortunately, so many of our poorer class children are exposed, tuberculosis

may be contracted as the result of the ingestion of milk from tuberculous udders;"

and, whether, in consideration of such an alarming opinion from a high scientific authority, he will consider the possibility of establishing some such systematic inspection of dairies as is now carried out in Copenhagen?

VISCOUNT LEWISHAM (Lewisham): The question of including tuberculosis among the diseases dealt with under the Contagious Diseases (Animals) Act is under consideration, together with other recommendations of the Committee, which has recently reported. All the powers of the Privy Council, with regard to dairies and cow-sheds, were transferred to the Local Government Board under the Amending Act of 1886, except so far as regards animal diseases.

POST OFFICE (IRELAND)—ENNIS POST OFFICE.

MR. COX (Clare, E.) asked the Postmaster General, What steps, if any, have been taken to provide a new post office for the town of Ennis?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The Department has been negotiating with reference to two properties at Ennis, either of which seems likely to be suitable as a means of providing a new post office in that town; but I regret to say that no satisfactory result has yet been arrived at. I am about to give instructions that an advertisement should be issued for a suitable site or premises.

WAR OFFICE (AUXILIARY FORCES)—THE MILITIA—PERMANENT STAFF.

MR. HAYDEN (Leitrim, S.) asked the Secretary of State for War, Whether there are several Militia Battalions in England and Ireland without Sergeants Major; and, whether he intends to take any steps regarding the appointment of Sergeants Major, Paymaster Sergeants, and Orderly Room Clerks, or whether he intends to abolish any of these offices?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The question of the status of Sergeants Major, Paymaster Sergeants, and Orderly Room Clerks in Militia Battalions is at present under consideration. Meanwhile vacancies are only filled by acting appointments. I may add that these positions have to be regarded with reference to the corresponding duties in the Regimental District.

CIVIL SERVICE—COMPETITIVE EXAMINATIONS—CLERKSHIPS IN THE LOWER DIVISION.

MR. MAURICE HEALY (Cork) asked the Secretary to the Treasury, Whether the Regulations issued to the public respecting competitive examinations in the Civil Service, which state that examinations for clerkships in the Lower Division will be held three times a year, are still in force; and, if not, when and how they were abrogated; whether he is aware that numbers of young men who, relying on the statement in question, have devoted years of their time and considerable expense with a view to qualifying for the examination, will now, owing to the fact that no examination has been held since August, 1887, and that they have, in consequence, passed the limit of age, be precluded from competing; whether there is any precedent for so prolonged an interval between examinations; and, whether in the exceptional state of things which has arisen, the limit of age will be extended for the benefit of persons circumstanced as described?

THE SECRETARY (Mr. JACKSON) (Leeds, N.), in reply, said, that no more examinations for clerkships would take place until vacancies arose.

LAW AND JUSTICE (IRELAND)—CORONERS' JURIES—VERDICTS.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the Chief Secretary to the Lord Lieutenant of Ireland, What have been the dates and occasions, since the accession to Office of the present Government, when Coroners' Juries in Ireland have returned verdicts reflecting on the conduct of any officials, either by name or in general terms; and, whether any action has been taken by the Government in consequence of such verdicts; and, if so, what it has been?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): So far as I am aware, there have been three cases in which Coroners' Juries have returned verdicts reflecting on the conduct of officials since the present Government came into Office. The first was on the

occasion of the death of Thomas Hanlon, at Youghal, March 8, 1887; the second was on the occasion of the Mitchelstown riots on September 9, 1887; the third was on the occasion of the death of Mr. Mandeville. These three verdicts were all given by juries presided over by the same Coroner. The half-dozen or so similar cases which occurred during the Administration of the right hon. Member for Mid Lothian (Mr. W. E. Gladstone) appear to have been more evenly distributed over the country. Neither my Predecessor nor myself have, so far as I am aware, ever taken any action in consequence of such verdicts, except to get them quashed in certain cases by the Court of Queen's Bench.

MR. J. E. ELLIS asked, whether the right hon. Gentleman had not omitted the case of Larkin?

MR. A. J. BALFOUR said, that he had answered from memory, but after consultation with the Irish officials in London.

MR. ANDERSON (Elgin and Nairn) asked, whether the Government would take any steps to quash the verdict returned by the jury who had inquired into the death of Mr. Mandeville?

MR. A. J. BALFOUR: The Queen's Bench would not quash a verdict on the ground that there was insufficient evidence to support it, but only on the ground that there was some irregularity or misconduct in the proceedings. There was nothing in these proceedings to justify an application to the Court.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): When will the shorthand notes of the inquest be laid on the Table?

MR. A. J. BALFOUR: Very shortly; but they will take some time to print, and I am afraid that copies will not be available until after the Recess has arrived.

DR. KENNY (Cork, S.): Will the Government compensate Larkin's relatives?

MR. A. J. BALFOUR: The case of Larkin does not arise out of the Question; but I may say that the Government do not intend to take any action in the matter.

MR. JOHNSTON (Belfast, S.): Will the right hon. Gentleman also lay upon the Table of the House the evidence taken in the case of Dr. Ridley?

MR. A. J. BALFOUR: Yes, Sir. I take it that it would be the most convenient course to lay the shorthand notes of both inquests on the Table at the same time.

POOR LAW (IRELAND)—BOARDS OF GUARDIANS—SUSPENSIONS.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the Chief Secretary to the Lord Lieutenant of Ireland, What are the names, rateable values, and populations of the Unions in Ireland whose Boards of Guardians have been suspended by the present Government; and what are the dates of such suspensions?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The names and other particulars regarding the Unions in question are as follows, the valuation being that made on September 29, 1887, and the population being that of 1881:—Athy Union, valuation £111,064, population 27,961, dissolved June 18, 1888; Ballinasloe Union, valuation £78,092, population 22,839, dissolved May 29, 1888; Belmullet Union, valuation £10,885, population 16,451, dissolved October 12, 1887; New Ross Union, valuation £104,493, population 37,338, dissolved December 14, 1886; and Swinford Union, valuation £40,988, population 53,714, dissolved February 2, 1888. In the case of the New Ross Union the Vice Guardians were discontinued in March last and a Board of Guardians re-elected.

LAW AND JUSTICE (ENGLAND AND WALES)—"REGINA *v.* 'ST. STEPHEN'S REVIEW'" — COUNCILLOR JAMES JUDD.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Secretary of State for the Home Department, If the Recorder acted within his right in allowing Mr. Councillor James Judd not to surrender to his bail during the case of "Regina *v. St. Stephen's Review?*"

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the Recorder that Mr. James Judd did appear in Court, although he did not remain during the trial. There was nothing irregular in this, as the charge was one of misdemeanour only; and he appeared and put in his plea by counsel without ob-

jection on the part of the prosecution, it being stated in open Court that he was prepared to submit to the judgment of the Court.

TURKEY (ASIATIC PROVINCES)—PERSECUTION OF ARMENIAN PROTESTANTS.

SIR ROBERT FOWLER (London) asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to the persecution of Armenian Protestants in the districts of Van, Harpoot, Diabebir, Erzeroum, &c.; and, whether Sir William White has been instructed to make representations on the subject to the Turkish Government?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The Reports received by Her Majesty's Government, so far as they go, do not confirm the published accounts as to the persecution of Armenian Protestants in the districts mentioned, though, undoubtedly, there have been a considerable number of arrests. Sir William White has not yet been in a position to state to what extent the accounts are true, or could form a proper basis for representations to the Porte.

SIR ROBERT FOWLER asked, whether the attention of the Ambassador would be called to the matter?

SIR JAMES FERGUSSON: That has been already done.

NORTH SEA FISHERIES CONVENTION—SEIZURE OF FRENCH VESSELS.

MR. MACLURE (Lancashire, S.E., Stretford) (for Sir EDWARD WATKIN) (Hythe) asked the First Lord of the Admiralty, If he has seen a paragraph in *The Times* of yesterday reporting the capture of French vessels fishing in English waters, and the fining of Captain Duhomil and others by the Folkestone magistrates; whether it is true that one of the prizes of Her Majesty's cutter *Frances* ran away with three British seamen who have not since been heard of; and, whether, considering that these occurrences may lead to International complications, he will undertake to have our fishing grounds in the Channel properly watched by vessels of adaquate speed, unlike the cutter *Frances*, which is totally unfit for the duty?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): It is the case that two French fishing boats were captured on the 31st ultimo, for fishing in English waters. It is not the case that one of these vessels ran off with three British seamen. The men referred to were placed in charge of her and brought her into Folkestone on the following day. The cutter *Frances* is considered a perfectly satisfactory vessel for the work required of her, and she has made three captures in the past year.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—OWNER OCCUPIERS—VOTES FOR COUNTY COUNCILLORS.

VISCOUNT GRIMSTON (Herts, St. Alban's) asked the President of the Local Government Board, If he is aware that great misapprehension exists as to the right of owners occupying their own houses to have votes for the election of County Councillors under the new Local Government Bill; and, if he will clearly define their position by a statement in the House of Commons, and by a Circular addressed to the overseers charged with the preparation of the list of voters?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): I was not aware, until my noble Friend informed me, that misapprehension exists as to the right of owners occupying their own houses to have votes in the election of Councillors. If a person is qualified by occupation of premises, he is not deprived of his vote by the fact that he is the owner of such premises. If the noble Viscount is aware of any district in which there is any such misapprehension as that to which he refers, I would suggest that he should communicate with the Clerk of the Peace.

LAW AND JUSTICE (IRELAND)—JURY LAWS—WRONGFUL CONVICTIONS AT THE WICKLOW ASSIZES.

MR. W. J. CORBET (Wicklow, E.) asked Mr. Solicitor General for Ireland, If 10 men were convicted at the Wicklow Assizes for resisting the Sheriff, by a jury taken from an array, which was subsequently quashed, and if, on application being made to the Judge to discharge these persons, on the ground

that they had not been convicted by a jury selected according to the law, he stated he had no power to order the discharge, and that application should be made to the Executive; and, whether, under these circumstances, the Irish Executive will order the discharge forthwith?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): In reply to inquiries which I have made on the subject of the Question of the hon. Member, I am informed that no Memorial has been sent in on behalf of the prisoners referred to. It is not for me to say what view the Executive may take of the case in the event of such a Memorial being presented.

MR. W. J. CORBET: I would like to ask the hon. and learned Gentleman, whether his attention has been called to the statements made by officials—the Sheriff and District Inspectors—when these men were before the Petty Sessions Court? Mr. Kennedy, according to the report in the Conservative local journal, said, on cross-examination, he did not see any person struck.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): Is it possible that the Government intend to keep in prison a number of persons convicted by a jury from a panel so vitiated that it was quashed at the same Assizes?

MR. MADDEN: As I said before, if a Memorial is sent to the Executive they will consider all the circumstances.

MR. T. M. HEALY (Longford, N.): Can anybody in the whole world give the Crown more knowledge in a Memorial than they have at the present time? Do not they know that the panel was quashed, and that the 10 men are in goal; and, in the name of Heaven, what more do they want?

MR. MADDEN said, the question must be submitted in a proper manner to the Executive for consideration.

SPAIN—DR. GOWING MIDDLETON, A BRITISH SUBJECT — CHARGE OF MURDER AT CORDOVA.

MR. ROWNTREE (Scarborough) asked the Under Secretary of State for Foreign Affairs, Whether it is within the knowledge of the Government that Dr. Gowing Middleton, a British subject travelling in Spain, was attacked and robbed by a gipsy of notoriously bad antecedents at Cordova, and had to stand his trial for taking the life of the gipsy in self-defence; that on the 12th of December last Dr. Gowing Middleton deposited £400 as bail for his appearance at the trial; that at the trial at Cordova on the 9th of April Dr. Gowing Middleton was honourably acquitted, and an order was made that the money and walking-stick taken from him by his assailant should be returned, together with the £400 so deposited, but that this order has not been complied with so far as the return of the bail is concerned; and, whether, in view of the great cost incurred by Dr. Middleton in proving his innocence, and the continued loss to which the detention of the £400 exposes him, Her Majesty's Government will forthwith make representations to the Government of Spain on his behalf?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The facts of the case are correctly stated in the first three paragraphs of the hon. Member's Question. Dr. Middleton's bail has not yet been returned to him, as we believe, because the gipsies have appealed to the Superior Court at Madrid. His case is one of great hardship; but he has suffered no injustice at the hands of the Spanish authorities, and the Secretary of State could not found any claim upon the Spanish Government for compensation.

NAVY—SURGEON T. MUNAN, OF H.M.S. "WASP."

DR. KENNY (Cork, S.) asked the First Lord of the Admiralty, Whether he is aware that the late Surgeon Thomas Munan, of H.M.S. *Wasp*, lost when that vessel foundered in September, 1887, was the chief support of his widowed mother, who had expended nearly all her means in giving him his profession, and who is now left almost destitute by his death; and, whether, under the distressing circumstances of the case, and considering the fact that the *Wasp* was lost admittedly through being sent to sea under-manned, he will use his influence with the Treasury to procure for Mrs. Munan some adequate compensation for the loss of her son?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): I regret that the conditions of Mrs. Munan's case do not bring her within the scope of the Regulations that would authorize the Admiralty to assist her. It is not the case that the *Wasp* was undermanned. She had her full fighting complement on board, far more than was necessary for purposes of navigation.

DR. KENNY asked, whether the commander of the *Wasp* did not complain of being sent out under-manned?

LORD GEORGE HAMILTON replied in the negative. What the commander did say was that one of the officers under him was not so efficient as he could have wished; but that statement was contrary to the public record of the officer referred to.

NAVY — THE NAVAL KNIGHTS OF WINDSOR—COMMANDER CAWLEY.

LORD CHARLES BERESFORD (Marylebone, E.) asked the First Lord of the Admiralty, What are the qualifications necessary for the appointment of Naval Knights of Windsor; under what Act or Law they are appointed; when was the rank instituted, and by whom; what emoluments, advantages, or privileges are derived from the appointment; whether Commander Cawley has applied to the Admiralty for such an appointment; and, whether vacancies have been filled up by officers whose services are not so meritorious as those of Commander Cawley?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The Naval Knights of Windsor, seven in number, were established in 1724, under the will of the late Mr. Samuel Travers. The endowment was supplemented in 1805 by a private legacy. The emoluments of the appointment are that the holders receive £200 a-year and free lodging. They are required to be single men and to live in common. Various Acts of Parliament have established and amended the conditions and qualifications for the holders of the appointments, the last being in 1885 (48-49 *Vict.* c. 42). Commander Cawley is among the applicants for appointment; but he is not, in the opinion of the Admiralty, the most desirable candidate to recommend.

CUSTOM HOUSE CLERKS—HOURS OF WORK AND PAY.

MR. KELLY (Camberwell, N.) asked the Secretary to the Treasury, If it is the fact that the clerks in the Custom House have been required to give an attendance of seven hours a day in compliance with the terms of a Circular recently issued by the Treasury, but yet continue to be paid only at the rate fixed by the Order in Council of February, 12, 1876, for a six hours' office; and, whether there is any reason why these clerks should not be placed in the same position as all others employed in Government Offices for seven hours a-day?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): Under recent directions of the Treasury, the period during which some of the indoor offices of the Customs Department are open for the transaction of business has been extended to seven hours. It is not, however, intended nor expected that all the clerks concerned shall give continuous attendance throughout these extended hours, nor that they shall, as a general rule, be expected to give during each day a longer total period of attendance than at present.

IRISH LAND COMMISSION—SUB-COMMISSIONERS.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the complaints made from every county in Ireland as to the delay in fixing fair rents, owing to the insufficient number of Sub-Commissioners, Whether he will consider the desirability of appointing two additional lay Sub-Commissioners to each Sub-Commission, so that the sittings of the several Sub-Commissions may be continued without interruption, instead of on only two or three days in each week, as at present?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I shall, of course, be glad to consider any suggestion of the hon. Member's. As he is doubtless aware, I have promised that a statement shall be made on this subject before the end of the present Sittings of the House.

INDIA—THE CANTONMENTS ACTS.

MR. JAMES STUART (Shoreditch, Hoxton) asked the Under Secretary of State for India, What reply has been received from the Government of India to the despatch of the Secretary of State, dated May 17, 1888; whether he will lay upon the Table of the House the despatch in which the Secretary of State communicated to the Government of India the Resolution of the House of June 5 last; what was the date of that despatch; and, whether any steps have been taken to apprise the Government of India of the erroneous method in which Dr. Barclay and others have taken the averages in connection with the Lock Hospital Reports?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): (1) None has yet been received. (2) Yes; if the hon. Member will move for it. (3) June 14. (4) I regret to say that, through an oversight, this has not yet been formally done; but the Secretary of State will direct it to be done forthwith.

MR. JAMES STUART said, that on the Indian Budget he would call attention to the delays in the communications between the India Office and the Government of India on the subject.

NAVY—DOCKYARDS—THE OFFICIAL PROGRAMME AT DEVONPORT.

SIR JOHN PULESTON (Devonport) asked the First Lord of the Admiralty, Whether it is the fact that sufficient money was not provided to carry out the Dockyard programme at Devonport; whether he can state where the savings are to come from to pay for the repairs by contract of the *Achilles*, and how much such savings amount to; whether such savings could be given towards the repairs of the *Achilles* at the Dockyard, and whether he will get a tender from the Dockyard authorities for comparison with those asked for from private firms; whether it is the fact that much time and labour is necessarily expended in getting out the specification, which, added to the contract price, would make it greater than the cost of repairing in the Dockyard; whether the masts, rigging, and boilers are excluded from the contract, or that these are to be supplied to the contractor by the Dockyard; whether riggers in a private yard have the requisite knowledge of a man-of-war's fitting to be independent of an Admiralty officer's superintendence; whether the gun mountings will be required to be completed in the Dockyard; whether his attention has been called to the public remarks of Admiral Grant, Admiral Superintendent of the Devonport Dockyard, to the effect that if his hands were as free as the manager of a private yard, he "would be able to do just as efficient and far better work;" whether he has had pointed out to him the statements made before the Committee of this House by Mr. Elgar, Mr. Deadman, and others, showing the large savings in repairs and shipbuilding in the Dockyards; whether, in view of these facts, he will re-consider the question of sending the Dockyard built ship *Achilles* to a private firm for repairs; and, whether he can give the reason for the repeated discharges in Her Majesty's Dockyards after the repeated official statements that they would be unnecessary?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): It is not the fact that insufficient money was provided for the Devonport Dockyard programme. What the precise amount of savings will be from which the cost of the repairs of the *Achilles* will be defrayed cannot now be given. Whether the ship will be repaired in the Dockyard or by contract will depend entirely on what will prove best for economy and the quick and efficient performance of the work. The cost of making a specification of the work to be done will be very small; this will have to be done, whether the work is done by the Dockyard or by contract. There are already boilers in store suitable for the *Achilles* which will be fitted to her, whether repaired in the Dockyard or by contract. The rigging will be dealt with in the Dockyard, as will also be the work in connection with the gun mountings. The work done by contract is under the superintendence of Admiralty officers. My attention has not been called to the remarks by Admiral Grant. The evidence of Mr. Elgar was to the effect that work is done cheaper in the Dockyard than heretofore; but I am not aware he has ever asserted that the Dockyards can now compete with the private yards. There have been no large discharges from the Dockyards; only those necessary for the re-adjustment of

the numbers in the various trades have been carried out.

CRIMINAL LAW—7 & 8 GEO. IV., CAP. 28—REPEAL OF THE "WHIPPING PROVISIONS."

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Secretary of State for the Home Department, What steps he proposes to take to redeem his pledge with reference to the repeal of the "whipping provisions of 7 & 8 *Geo.* IV. c. 28?"

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): There is a Statute Law Revision Bill now in draft which will repeal the provisions referred to.

WAR OFFICE—THE ARTILLERY COMMITTEE—THE REPORT.

COLONEL SANDYS (Lancashire, S.W., Bootle) asked the Secretary of State for War, Whether he would have any objection to state if the Report of the Artillery Committee upon the organization of the Royal Artillery, together with the Minutes of Evidence, is to be published; and, if so, when it will be in the hands of Members of the House?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I will lay this Report upon the Table at once, and I have given directions that it be published as speedily as possible. The document is, however, bulky, and its printing will take some little time.

WAR OFFICE—THE "FIELD EXERCISES"—NEW EDITION.

COLONEL WARING (Down, N.) asked the Secretary of State for War, When the new edition of *The Field Exercises*, which was said to be in preparation before Whitsuntide, will be issued; and, whether the old edition, as well as being obsolete, is out of print?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The introduction of some new physical training has delayed the completion of this book, which is, however, expected to be ready in a few weeks. The old edition is out of print.

THE EXCISE DUTIES (LOCAL PURPOSES) BILL.

MR. CAUSTON (Southwark, W.) asked Mr. Chancellor of the Exchequer, Whether the Birmingham Anti-Wheel Tax Association have accepted the conditions communicated to them on July 27, at his request, by the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain), and how far the concessions named vary from those made some months since in response to deputations which waited upon him in reference to the subject, and in reply to Questions put to him by hon. Members in the House, and which are contained in the Bill as printed?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): Yes, Sir; I understand that the Birmingham Anti-Wheel Tax Association have expressed themselves satisfied with the concessions which I have been able to make; and I should be glad to receive a similar expression of satisfaction from the Associations under the command of the hon. Member. Of the three concessions in question, in the case of one only can there be said to be any variation from my previous declarations on the subject. [*Ironical Opposition cheers.*] I presume that if a concession can be made for which I did not see my way before, there is no reason for an ironical cheer. The point was as to excluding movable gear in ascertaining the weight of vehicles. On this point I said, in answer to a Question in this House on the 13th of April last, that I thought it must be dealt with administratively; but I have since seen my way to frame a provision which will, I think, be unobjectionable if inserted in the Bill. The second concession, about the number of horses, is not in conflict with the provisions of the Bill, or with anything I have said to deputations or in this House. It is a mere consequence of the concession I announced some time ago to meet the equity of the case with respect to two-wheeled vehicles. The third concession, about the term of hiring, is an alteration from the provisions of the Bill; but, so far as I am aware, the point had not been brought before me previously. It is a question between the letters and hirers of vehicles; and I think the latter had made out their claim to the alteration they have sought.

MR. OSBORNE MORGAN (Denbighshire, E.) asked the right hon. Gentleman, whether he could now state that the Excise Duties (Local Purposes) Bill

would be taken before the House rose?

MR. GOSCHEN: I am well aware that it is inconvenient that a tax, though it is a local and not an Imperial tax, should be proposed without being put forward and settled. But the representations I have received, both from the friends and the opponents of the measure, have convinced me that the general desire is that it should not be taken except in a very full House; and as I know hon. Members are anxious to get away, I have decided to defer it to the Autumn Sitting.

MR. CAUSTON asked, if the Chancellor of the Exchequer had read the letter of the right hon. Gentleman the Member for West Birmingham on the subject; and, whether, under the circumstances, taking into consideration the reply he had just made, he did not consider that the Birmingham Committee had been rather rash in passing a Resolution of approval?

MR. SPEAKER: Order, order!

CIVIL ESTABLISHMENTS—SECOND REPORT OF THE ROYAL COMMISSION.

SIR ROPER LETHBRIDGE (Kensington, N.) asked the First Lord of the Treasury, Whether he is now in a position to state when the Second Report of the Royal Commission on Civil Establishments will be laid upon the Table of the House?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am informed by the Chairman that the Second Report is in a forward state, and that he has some hopes that it may be presented before the end of the present Session.

PUBLIC BUSINESS—THE TITHE RENT-CHARGE BILLS.

MR. DILLWYN (Swansea, Town) asked the First Lord of the Treasury, Whether, in view of the great amount of Business remaining to be transacted before the proposed adjournment of the House in the present month, and considering the discussion to which the Tithe Rent-Charge Bills are certain to give rise, he will defer their further consideration to the November Sitting of Parliament?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I have considered the Question of the hon. Gentleman; and with a desire to meet what I believe to be the convenience of hon. Members, I have come to the conclusion that it would not be desirable to ask the House to consider these Bills during the present Sitting. I hope I may appeal to hon. Gentlemen who are connected with Wales to exercise their influence to prevent any breach of the law during the interval which must elapse before this question can receive the consideration of Parliament.

MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): Does the right hon. Gentleman refer to breaches of the law by the people or the police?

[No reply.]

SITTINGS OF THE HOUSE—THE AUTUMN SESSION.

MR. CAMPBELL-BANNERMAN (Stirling, &c.) asked the First Lord of the Treasury, Whether he can now indicate, for the convenience of hon. Members, the duration to which Her Majesty's Government expect that the Autumn Sittings, which are to commence in the first week in November, will extend?

MR. COBB (Warwick, S.E., Rugby) asked, whether the right hon. Gentleman was in a position to say what length the interval would be between the present Sitting and the Autumn Sitting?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The interval must depend on the period at which the House rises. I should be very glad if it were in my power to give the right hon. Gentleman the information he desires to obtain; but it is impossible for me to say more at present than that the Government will be anxious to keep the Sittings within the narrowest possible limits consistently with the necessities of Public Business.

MR. J. B. BALFOUR (Clackmannan, &c.) asked, whether the Government had taken any resolution as to giving a day for Scotch Business; and, if so, whether it would be an early day?

MR. E. ROBERTSON (Dundee) said, considering the advanced period of the Session and the enormous bulk of the Burgh Police and Health (Scotland) Bill, perhaps the right hon. Gentleman would consider the propriety either of

postponing Scotch Business altogether to the Autumn Session or dropping it?

MR. W. H. SMITH said, he was not prepared to drop the Scotch Business for the rest of the Session. He thought he should be failing in his duty to the House and the country if he were to entertain the suggestion. But, with regard to the Question of the right hon. and learned Gentleman opposite (Mr. J. B. Balfour), he had to say that, in the event of the Members of Parliament (Charges and Allegations) Bill being read a third time on Tuesday, he should propose that Wednesday should be allotted for Scotch Business, if that would be a convenient arrangement to hon. Members; and he trusted that the bulky Bill to which the hon. Gentleman (Mr. Robertson) referred might be considered during that Sitting.

BUSINESS OF THE HOUSE.

MR. CREMER (Shoreditch, Haggerston) asked, Whether the First Lord of the Treasury was in a position to state the exact day when the Government proposed that the House should reassemble for the Autumn Sittings? He hoped the First Lord was in that position, as a large number of Members of the House were being seriously inconvenienced, as they were being pressed to make engagements, some of an important character, and they were unable to do so in consequence of the present uncertainty.

MR. ESSLEMONT (Aberdeen, E.) stated that he was in a position to inform the First Lord of the Treasury from his own knowledge that it would be practically impossible for a great many Scotch Members to take part in the consideration of Scotch Business on a later day than Wednesday next.

MR. ARTHUR O'CONNOR (Donegal, E.) inquired, whether the right hon. Gentleman could now say definitely on what day the Indian Budget would be considered; or whether the Government had determined to put it off till the Autumn Sitting?

MR. BAUMANN (Camberwell, Peckham) asked the right hon. Gentleman, Whether he would make arrangements to take the second reading of the Metropolitan Board of Works (Money) Bill, which stood eighth on the Order for that evening, at such an hour as would admit of a reasonable amount of discussion upon it; or whether he would fix it for some evening next week?

MR. BRADLAUGH (Northampton) asked the right hon. Gentleman, in regard to the 19th Order of the Day (the Oaths Bill, second reading), Whether, having in view the statement made by the hon. Baronet opposite (Sir Robert Fowler) last night, that the opponents of the Bill would be satisfied with taking a Division upon it, he would not even now afford an opportunity for the passing of that measure?

MR. F. S. STEVENSON (Suffolk, Eye) wished to know whether it was the intention of the Government to proceed with the Bill for the appointment of a Minister of Agriculture; and when the Employers' Liability for Injuries to Workmen Bill would come on?

MR. WALLACE (Edinburgh, E.) asked the First Lord of the Treasury, whether he was aware that the only Scotch Bill proposed to be taken was a Bill of nearly 600 clauses, and innumerable Appendices and Schedules, making it quite impossible for it to be taken on Wednesday, or indeed on any single day; and whether, if he was determined to stand by the Wednesday he had shadowed forth, he would undertake to move the suspension both of the half-past 5 o'clock and the 12 o'clock Rule?

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) pointed out that it would be impossible to put down Amendments on the Burgh Police and Health (Scotland) Bill before Monday.

MR. T. M. HEALY (Longford, N.) asked, whether the First Lord would consider the advisability of moving that at 1 o'clock on Wednesday the remaining clauses of the measure then under consideration shall be put from the Chair?

MR. A. R. D. ELLIOT (Roxburgh) said, with regard to that portentous measure, the Burgh Police and Health (Scotland) Bill, he might point out to the First Lord of the Treasury that it necessarily touched upon very many subjects which might be expected to be dealt with in the Local Government Bill which Scotch Members were looking forward to next Session, and that was an additional reason for not proceeding with it at the present moment.

MR. ESSLEMONT asked the First Lord, whether he was aware that at a

meeting of Scotch Members an agreement was practically come to that the Burgh Police and Health (Scotland) Bill should be taken?

SIR GEORGE TREVELYAN (Glasgow, Bridgeton) asked the right hon. Gentleman, whether he would say anything as to the correctness of the suggestion of the hon. Member for Roxburghshire (Mr. A. R. D. Elliot) as to the relation of the Burgh Police and Health (Scotland) Bill with any possible Local Government Bill for Scotland?

MR. MARJORIBANKS (Merionethshire) said that, so far as his knowledge went, there were only a comparatively few Scotch Members who were opposed to the Burgh Police and Health (Scotland) Bill.

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) said, he would endeavour to answer, as well as he could, the many Questions that had been addressed to him. They must have some idea of the day of adjournment before they could well fix the date for re-assembling; but he hoped that it would not be earlier than the first week in November. With regard to the Wednesday which he had offered for Scotch Business, it must be for the Scotch Members to say whether that arrangement was convenient to them or not. He trusted they would not avail themselves of that day unless they intended to make real progress with the Bills which were of interest to Scotland. With regard to the Burgh Police and Health (Scotland) Bill, he must remind hon. Members from Scotland that there had been a large Committee, consisting almost wholly of Scotch Members, which had devoted a very large amount of time to the consideration of that measure. It was a domestic measure, and one which had been framed with regard to the interests of the burghs of Scotland, which had been very largely consulted upon it. If hon. Gentlemen threw obstacles conscientiously in the way of the passing of that Bill in the course of the present Session, it would not be for him or the Government to force it through against their wishes. [AN IRISH MEMBER: Why not?] But he must leave it to them to take such steps as they thought advisable to communicate with the Lord Advocate; and if the arrangement for Wednesday was convenient, and one which would tend to a satisfactory conclusion of questions interesting to Scotland, he should be very glad, indeed, to adhere to it. As to the Indian Budget, he must be able to see his way better than he could at present before he could name a date for the discussion of that subject. The Metropolitan Board of Works Bill was intended to provide funds for the County Authority for London, and had very little reference to the existing Board; but it was desirable that it should be put down for a time when some discussion could be taken upon it. The Oaths Bill would not take much time; but, if possible, he would have it put down for some time next week as an early Order of the Day, if it was not possible to make it the first. With regard to the Bill for the creation of a Minister of Agriculture, he proposed to lay it on the Table in the course of next week, not intending to proceed with it during the present Sitting.

MR. JOHN MORLEY (Newcastle-upon-Tyne) supposed they were right in assuming that no Business would be taken on Saturday except Supply?

MR. W. H. SMITH said, that possibly one or two non-contentious Bills would be advanced a stage, but nothing more would be done. Of course, there would be the Report of the Vote on Account.

MR. ARTHUR O'CONNOR suggested that it would be better definitively to put off the Indian Budget till the Autumn Session.

MR. BRADLAUGH said, it would be better to postpone the Indian Budget than to have a curtailed and insufficient discussion now.

MR. CREMER said, it would be a convenience to know for a certainty that Parliament would not be summoned in October.

MR. HOWELL (Bethnal Green, N.E.) asked whether the Report of the Lords' Committee on Sweating could be distributed to Members?

MR. W. H. SMITH said, he was anxious to do all he could to meet the wishes of hon. Members; but it was desirable not to postpone too much Business to the Autumn Session. He would take the Indian Budget next week if he could get an evening for the purpose; but he would not say positively that it should not be taken

after next week. He had no hesitation in saying that the Government would undertake that the House should not be called together in October. As to the Report of the Lords' Committee appointed to inquire into the Sweating System, he would ascertain whether it was necessary to make a formal Motion, in order that the Report of that Committee, which was appointed by the Lords, might be circulated among Members of the House of Commons. It would be necessary to take a Vote on Ways and Means on Saturday to give effect to the Votes in Supply.

MR. PICTON (Leicester) asked, whether the First Lord of the Treasury could give any explanation of the delay that had occurred in the issue of the Report of the Royal Commission on Education, especially after the surreptitious draft of that Report which had appeared some weeks ago?

MR. W. H. SMITH: That Report has been forwarded to Her Majesty, and will at once be presented to the House.

SIR JOHN SWINBURNE (Staffordshire, Lichfield) asked, whether the Government would, before the House adjourned, circulate in the form of a Schedule a list of the measures they were going to bring forward in the Autumn Session?

MR. W. H. SMITH said, the course proposed was a very unusual one. The Schedule which the hon. Baronet desired would probably be contained in the Orders of the Day, which would stand for the first few days of the Autumn Session.

MR. T. M. HEALY asked the Secretary to the Treasury, Whether the agreement making over the Ulster Canal to the Ulster Canal Company had been signed yet.

THE SECRETARY (Mr. JACKSON) (Leeds, N.) said, it had not.

MR. T. M. HEALY asked, whether he would guarantee that before making over this Canal to the Company he would afford the House an opportunity of considering the terms of the agreement?

MR. JACKSON said, that would be a very unusual course, conveying that the Executive Government were not to be trusted in making agreements of this sort.

MR. T. M. HEALY asked, was it not an extremely usual course, even though the Executive Government did possess the confidence of the House?

MR. JACKSON said, he was not aware that it was.

MR. T. M. HEALY asked, whether, as there was no other means of learning the terms of the draft agreement, hon. Members who called at the Treasury Office would be allowed to see it?

MR. JACKSON thought the hon. and learned Member would admit that he was usually very willing to afford every information in his power—[Mr. T. M. HEALY: Hear, hear!]—and he would endeavour in this case to afford the information desired.

In reply to Mr. JAMES STUART (Shoreditch, Hoxton),

MR. W. H. SMITH said, he was aware that he had undertaken to give three days' clear Notice of the Indian Budget; but he was sure the hon. Gentleman would feel that, at this period of the Session, that Notice was rather more than it was reasonable to require. He would give all the Notice in his power.

In reply to Mr. MUNDELLA (Sheffield, Brightside),

MR. W. H. SMITH said, that he hoped that the Patents, Designs, and Trade Marks Bill would be proceeded with before the Adjournment.

SOUTH AFRICA—THE HOSTILITIES IN ZULULAND.

MR. OSBORNE MORGAN (Denbighshire, E.) asked, Whether it was true, as stated that day, that Dinizulu and Usibepu had surrendered to the British Government in Zululand?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham): I have received no official information with regard to it.

DIVISIONAL MAGISTRATES (IRELAND) BILL.

MR. J. E. ELLIS (Nottingham, Rushcliffe), referring to a Notice on the Paper of a Motion by the Secretary to the Treasury (Mr. Jackson) to introduce a Bill to regularize the position of Divisional Magistrates in Ireland, asked the First Lord of the Treasury, If his Motion was consistent with the Government pledge not to take any other Business this Session than the programme which he recently laid before the House?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): Yes, Sir; I think it is consistent, and when the hon. Gentleman hears the explanation he will probably think the same. This Bill is simply intended to regularize payments which have been made both by the late Government and by the present Government, and for which it is alleged there is insufficient statutory authority excepting in the Appropriation Act. An undertaking was given to the Public Accounts Committee that the measure should be introduced; it is of a formal character.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) asked the Secretary to the Treasury whether the Bill would increase the salaries beyond the legal scale?

MR. JACKSON: No; I believe not.

SITTINGS OF THE HOUSE, EXEMPTION FROM THE STANDING ORDER.

Ordered, That the proceedings of the Committee of Supply, if the Committee be sitting at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House."—(*Mr. William Henry Smith*)

ORDERS OF THE DAY.

SUPPLY — CIVIL SERVICES AND REVENUE DEPARTMENTS:

FURTHER VOTE ON ACCOUNT.

SUPPLY—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a further sum, not exceeding £7,712,800, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March, 1889, viz.:—

CIVIL SERVICES.

CLASS II.—SALARIES AND EXPENSES OF CIVIL DEPARTMENTS.

	£
England:—	
Land Commission for England	3,000
Local Government Board	135,000
Lunacy Commission	4,500
Mint (including Coinage)	25,000
National Debt Office	5,000
Patent Office	13,000
Paymaster General's Office	7,500
Public Works Loan Commission	3,500
Record Office	6,000
Registrar General's Office	16,000
Stationery Office and Printing	210,000
Woods, Forests, &c. Office of	7,000
Works and Public Buildings, Office of	15,000
Mercantile Marine Fund, Grant in Aid	- -
Secret Service	7,000
Scotland:—	
Secretary for Scotland	3,500
Exchequer and other Offices	2,500
Fishery Board	10,000
Lunacy Commission	3,500
Registrar General's Office	2,500
Board of Supervision	23,000
Ireland:—	
Lord Lieutenant's Household	2,000
Chief Secretary's Office	16,000
Charitable Donations and Bequests Office	900
Local Government Board	50,000
Public Works Office	12,000
Record Office	2,000
Registrar General's Office	6,000
Valuation and Boundary Survey	7,500

CLASS III.—LAW AND JUSTICE.

Law Charges	24,000
Criminal Prosecutions	50,000
Supreme Court of Judicature	125,000
Wreck Commission	4,000
County Courts	200,000
Land Registry	1,200
Revising Barristers, England	20,000
Police Courts (London and Sheerness)	5,500
Metropolitan Police	100,000
Special Police	20,000
County and Borough Police, Great Britain	- -
Prisons, England and the Colonies	210,000
Reformatory and Industrial Schools, Great Britain	45,000
Broadmoor Criminal Lunatic Asylum	8,000
Scotland:—	
Lord Advocate, and Criminal Proceedings	15,000
Courts of Law and Justice	15,000
Register House Departments	10,000
Crofters Commission	2,000
Police, Counties and Burghs (Scotland)	150,000
Prisons, Scotland	30,000
Ireland:—	
Law Charges and Criminal Prosecutions	20,000
Supreme Court of Judicature	25,000
Court of Bankruptcy	4,000
Admiralty Court Registry	300
Registry of Deeds	5,000
Registry of Judgments	700
Land Commission	10,900
County Court Officers, &c.	44,000
Dublin Metropolitan Police (including Police Courts)	50,000
Constabulary	540,000
Prisons, Ireland	38,000
Reformatory and Industrial Schools	25,000
Dundrum Criminal Lunatic Asylum	2,300

CLASS IV.—EDUCATION, SCIENCE, AND ART.

England:—	
Public Education	850,000
Science and Art Department	130,000

	£
British Museum	25,000
National Gallery	2,200
National Portrait Gallery	700
Learned Societies, &c.	6,000
London University	4,500
Universities and Colleges, Grants in Aid	3,000
Deep Sea Exploring Expedition (Report)	- -
Scotland :—	
Public Education	100,000
Universities, &c.	5,000
National Gallery	2,000
Ireland :—	
Public Education	240,000
Teachers' Pension Office	600
Endowed Schools Commissioners ..	200
National Gallery	300
Queen's Colleges	1,000
Royal Irish Academy	200

CLASS V.—FOREIGN AND COLONIAL SERVICES.

Diplomatic Services	70,000
Consular Services	40,000
Slave Trade Services	5,000
Suez Canal (British Directors) ..	- -
Colonies, Grants in Aid	4,000
South Africa and St. Helena ..	13,000
Subsidies to Telegraph Companies ..	13,000
Cyprus, Grant in Aid	- -

CLASS VI.—NON-EFFECTIVE AND CHARITABLE SERVICES.

Superannuation and Retired Allowances	125,000
Merchant Seamen's Fund Pensions, &c.	4,000
Pauper Lunatics, England	- -
Pauper Lunatics, Scotland	64,000
Pauper Lunatics, Ireland	4,000
Hospitals and Infirmaries, Ireland ..	7,000
Savings Banks and Friendly Societies Deficiency	10,000
Miscellaneous Charitable and other Allowances, Great Britain ..	700
Miscellaneous Charitable and other Allowances, Ireland	100

CLASS VII.—MISCELLANEOUS.

Temporary Commissions	11,000
Miscellaneous Expenses	2,500
Public Works and Industries, Ireland	10,000
Repayment of Kilrush and Kilkee Railway Deposit	- -
Total for Civil Services..	£4,162,800

REVENUE DEPARTMENTS.	£
Customs	250,000
Inland Revenue	550,000
Post Office	1,820,000
Post Office Packet Service	180,000
Post Office Telegraphs	750,000
Total for Revenue Departments	£3,550,000
Grand Total..	£7,712,800

MR. BRADLAUGH (Northampton) said, he did not intend to occupy the time of the Committee then, but he thought it necessary to state that the Notices which appeared on the Paper in his name, especially the one which related to the police, would not be brought forward then, because he had no wish to delay the proceedings of the Committee. They would, however, be brought forward in the Autumn Session. He thought it right to make this statement, so that his silence might not be misunderstood.

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, the Committee were now asked, on the 3rd of August, to vote a sum of £7,712,800 for the Civil Service and Revenue Departments on account. Her Majesty's Government had put off the question of Supply until the very last moment they possibly could, and he ventured to think that in doing so, they had acted not only unwisely but also unconstitutionally. Whenever the postponement of Supply until late in the Session could possibly be helped, it ought to be. He believed that the course which had been pursued might have been helped, and that it was not necessary to have at that late period of the Session an enormous arrear of Supply. The postponement of Supply had the effect usually of keeping hon. Members in attendance throughout August and sometimes far into September. In this instance it necessitated an Autumn Session. Now, it was well known that Supply was the most Constitutional Business of the House, and he thought that if the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) had been in his place, he would have concurred in the remarks he (Sir Walter B. Barttelot) was now making. He was sure that his right hon. Friend the First Lord of the Treasury would also concur in them, and would be of opinion that if there was anything that could facilitate the progress of Supply, it was the bounden duty of the Government to adopt it. It would appear from the inquiry of the Public Accounts Committee into the Navy Estimates, that it was quite possible to have those Estimates laid on the Table at a much earlier period of the Session. This year the Public Accounts Committee had not had an opportunity of fully investigating the proposals for a new

mode of placing the Navy Estimates before the House, and when a question was put to the Secretary to the Admiralty (Mr. Forwood), who was under examination before the Committee, he replied that, if ordered to do so, the Navy Estimates could be prepared and ready at an earlier date. He trusted that the First Lord of the Treasury would consult with the heads of the Departments with the object of securing that the Estimates should be ready to be placed on the Table not later than the day of the assembling of Parliament in February, so that the House might proceed as soon as practicable to the consideration of them. Hon. Members must be aware of the great waste of time which took place between the meeting of Parliament and the Easter holidays. He thought that period might be turned to good account on proceeding with the Estimates. He was sure that if the First Lord of the Treasury came to the conclusion that it was desirable to amend the proceedings of the House in reference to Supply, he would receive every assistance from hon. and right hon. Gentlemen opposite. He trusted to receive an assurance from his right hon. Friend that he would consider this important question and provide in future that the Government, so far as they were able, would proceed with the Estimates at an earlier date.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he would reply at once to the appeal of his hon. and gallant Friend the Member for the North-West Division of Sussex. It had always been his view that it was the duty of the Government to consider the Estimates at the earliest possible moment. It sometimes happened, however, that events prevented the speedy discharge of that duty. When he said that, he did not wish to complain of the circumstances which had compelled the Government to ask for an Autumn Session, although he must say that he wished Questions were sometimes discussed at rather less length. To his hon. and gallant Friend who said that the Estimates ought to be laid upon the Table on the first day of the Session, he would point out that there was a Standing Order of the House which prevented the Estimates from being presented until after the Address in reply to the Speech from the Throne has been disposed of, and undoubtedly one cause of the delay in the presentation of the Estimates in recent years was the extreme length of the debate on the Address. The object of his hon. and gallant Friend was a most reasonable one, and his (Mr. Smith's) first effort next year would be to induce the House to consider Supply, so that substantial progress might be made before the Easter adjournment. In making that effort, he trusted that he might rely upon the assistance of right hon. and hon. Gentlemen in all parts of the House.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) said, he thought it was hardly reasonable that the Committee should be called upon to vote millions in one night at the end of the Session. This money would probably be cheerfully voted for the Army and Navy and Government Offices; but in these days of depression, he should like to see something done for the poor in this city and the country. He wished to say a few words upon the subject which had been alluded to by the hon. Member for Northampton (Mr. Bradlaugh), and which the hon. Member had reserved to himself the right of entering into in the Autumn Session — he meant the question of the London Police. The question had come on upon several occasions, but had never been discussed in a formal manner; therefore, with the leave of the Committee, he would advert to a few of the occurrences which had recently happened in the Metropolis, and would endeavour to impress upon the right hon. Gentleman the Leader of the House the importance of the subject. He could not help thinking that some of the disagreeable incidents which had occurred since the time the Government first took upon themselves the invidious task of interfering with public meetings in public places might have been avoided if the Chief Commissioner of Police had been more fitted to rule the force under his command, and had not thought fit to act as a pro-consul might do in a distant part of the Empire. He had already criticized some of the recent acts of the Chief Commissioner of the Police, and he should now like to ask the First Lord of the Treasury whether the system which had been recently inaugurated of treating the

citizens of the Metropolis as if they were conquered people, or as if a Coercion Act like the one in Ireland existed, had the sanction and authority of the Government, or whether Sir Charles Warren was himself solely responsible for the initiation of this policy? Did the Home Secretary know that it was becoming unsafe for a policeman to be alone in the suburbs of London; that within the last two or three months, owing to the unfortunate feeling which existed, it had been found necessary to double and treble the patrols? He wished to ask the Home Secretary whether he proposed, before the House reassembled in the Autumn, to give a guarantee that something would be done to allay the state of irritation which might culminate and become dangerous at any day in the Metropolis which the conduct of Sir Charles Warren was causing. It would considerably lessen the tension if the points in dispute could be argued in a case submitted to the Court of Queen's Bench without delay, or if an undertaking could be given that the Bill which had reference to them would be discussed not later than the Autumn Session? He desired to know whether the frequent reports in newspapers, and the questions which had been addressed to the right hon. Gentleman by Members of that House as to the conduct of the Police, had engaged his serious attention? He wished to know, further, whether the attention of the right hon. Gentleman had been called to the fact that Sir Charles Warren had become so unpopular that even on such an innocent subject as Palestine he could not get a fair hearing? Was it true that he had stopped all promotion in the Force, and that he had dismissed 20 men upon a very frivolous pretext? He would not detain the House longer in the matter; but he would conclude his remarks by saying that all this feeling of irritation, which might become dangerous if it were not attended to speedily, might have been avoided if something had been done to check the action of a man who seemed absolutely unfitted to exercise the functions he had been pitchforked into, and whose conduct he could only characterize as that of a psalm-singing, sanctimonious swashbuckler.

Mr. M'LAREN (Cheshire, Crewe) said, he did not intend to say anything with regard to the police, but he wished to make a very serious charge against the hon. Member the Secretary of the Local Government Board (Mr. Long) for certain action he had taken in his official position. He (Mr. M'Laren) had given Notice for some time of his intention to draw attention to this matter, and he had communicated with the hon. Member himself. He now desired to move formally the reduction of the hon. Gentleman's salary by a sum of £100 for the purpose of raising the question. He would state in a few words his reason for taking that course. His charge against the hon. Member was that he had been guilty of reprehensible conduct in his official capacity, conduct unworthy of the office he held and of his high character in that House. The hon. Member in the course he had taken had associated himself with the Political Secretary to the Treasury, who was a Member of the Government, occupying a highly responsible position. The act of the hon. Member which he condemned was done on behalf of the Government, and he had no doubt whatever that it was done at the wish of the Government. It seemed to him almost certain that the First Lord of the Treasury himself must have known and approved of the very certain action, which he intended strongly to condemn. He maintained that it was the duty of the Government, and of the humblest Member of it, to guard the honour and dignity of the House.

The CHAIRMAN: I must ask the hon. Member to state what is the official act of which he complains.

Mr. M'LAREN: I was going on to state what it was.

The CHAIRMAN: As yet the Committee have only heard a good deal of introduction.

Mr. M'LAREN said, he bowed to the ruling of the Chair; but his introduction had not taken more than two minutes. He had wished to show, in the first instance, that the action to which he desired to draw attention was official action, and he then proposed to give the Committee full details of what the action was. He wished to know whether he would be in order in taking that course?

The CHAIRMAN: If the hon. Member will come to the point at once, it is

probable that he may be in Order. Is the hon. Member prepared to state a *primâ facie* case of grievance?

MR. M'LAREN said, his *primâ facie* case was that it was official action on the part of the Secretary of the Local Government Board, and that what he did was done on behalf of the Government.

An hon. MEMBER: What was it?

MR. M'LAREN said, the action he condemned was that the hon. Member, in his official capacity, acting on behalf of the Government, went down in most peculiar circumstances to speak at a meeting held at Rochester in support of the Member who represented that town. He was prepared to show, from what the hon. Member himself stated, that he was acting on the part of the Government.

THE CHAIRMAN: It was no part of the duty of the Secretary of the Local Government Board, in an official capacity, to attend meetings anywhere, and this could not, therefore, be an official act.

MR. M'LAREN said, the proof that the act was an official act was contained in the statement that the hon. Member was sent down by the Government, and said he spoke on behalf of the Government. It was for that reason—namely, because the Government were implicated in a serious way, that the matter came fairly under the cognizance of the House. He thought he was justified in moving the reduction of the salary of the hon. Gentleman by £100, in order to raise a debate to obtain from the Government what their view of the matter was.

THE CHAIRMAN: It would be quite impossible to sustain successfully that this action on the part of the hon. Member for the Devizes Division of Wiltshire (Mr. Long) was official action. If the hon. Member persists in moving the reduction of the Vote, for which no Parliamentary motive can be assigned, it will be an abuse of the Privileges and Rules of the House.

MR. M'LAREN: I should certainly abstain from doing anything which can be characterized as an abuse of the Rules of the House. Would it be an abuse of the Rules of the House if I moved the reduction of the salary of the hon. Gentleman by £100 without any further statement on my part?

THE CHAIRMAN: In my opinion, any Motion for which no Parliamentary reason can be assigned would be an abuse of the Rules of the House. No Parliamentary reason has been assigned at this moment, and therefore I could only regard it as an abuse of the Rules of the House. I am not armed with any statutory power to prevent the hon. Member from making the Motion, notwithstanding that I regard it as an abuse of the Rules of the House. It is for the hon. Member himself to consider whether he ought knowingly to make a Motion which, in the opinion of the Chair, is an abuse of the Rules of the House.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked whether, if the Secretary of the Local Government Board had stated that he did something as a Member of the Government, that assertion would not make it an official act on the part of a Member of the Government?

THE CHAIRMAN: Certainly not.

MR. M'LAREN said, he was not prepared to do anything which, in the opinion of the Chair, could be characterized as an abuse of the Rules of the House. He would, therefore, not make the Motion he had intended to submit for the reduction of the Vote, and which Motion he had every reason to believe was fully in Order. He had performed a duty on the part of himself, and on behalf of a considerable number of other Members. He believed that the action of the Secretary of the Local Government Board had been seen with the greatest pain and regret.

MR. JAMES STUART (Shoreditch, Hoxton) said, he would only express the surprise, which he believed to be shared by many others, with which he had heard of the conduct of the hon. Gentleman. An hon. Member occupying an important position in the Government, and so justly respected in that House——

THE CHAIRMAN: The hon. Member must not pursue that subject further.

MR. JAMES STUART said, that in that case he would pass entirely away from the subject to that on which he had risen to say a few words. He joined with the hon. and gallant Baronet who spoke at the beginning of the discussion (Sir Walter B. Barttelot) in lamenting the progress which had been made in Supply, and the necessity for taking Votes on Account. One objection to a Vote on Account was that it was exceedingly unsatisfactory, because it gave rise to

desultory and fragmentary discussions, when a variety of miscellaneous subjects were presented in a mixed form to the Committee. The point upon which he had reason to say a few words had connection with the question referred to by the hon. Member for Northampton (Mr. Bradlaugh), who, as well as himself, had given Notice of his intention to move a reduction of the Vote for the Metropolitan Police. He intended to follow the course which had been taken by the hon. Member, and would refrain from touching upon the question at any length. At the same time, he considered the question to be one of very considerable importance to the Metropolis and to that House; but they had no desire to enter into it just now, because they had no wish to raise a fragmentary and piecemeal discussion, but a thoroughly efficient and complete one directed specially to the points with which they would have to deal, and with which they were perfectly prepared to deal. He thanked his hon. Friend the Member for North-West Lanark for what he had said, and he thought the Committee would agree with him in considering that the remarks of his hon. Friend had been full of good sense and self restraint. All sides of the House would agree that, as far as possible, the Metropolis ought to be properly governed. He believed, and he thought the right hon. Gentleman at the head of Her Majesty's Government believed, that a desirable step towards a settlement of the questions involved in the matter would be a decision marking distinctly the rights of the people in reference to the use of Trafalgar Square. There was a belief that, at present, there existed an opportunity of having a case taken before the Court of Queen's Bench. It was the fact that a similar case was prepared some time ago, but a technical objection was taken to it by the Solicitor to the Treasury. If the Solicitor to the Treasury had abstained from bringing forward that technical objection, the case might have been decided. He would, therefore, appeal to the First Lord of the Treasury, that in the interests of the public and in order to obtain a solution of the question in a satisfactory manner, he should give such advice as was in his power to the authorities connected with legal matters on behalf of the Home Office and Scotland Yard not to interpose technical difficulties in the way of securing a decision upon the subject by a competent and high tribunal. On the contrary, it was preferable that the Government should assist his hon. Friend and others who were concerned in the matter in getting it finally settled. He had risen to speak upon the point immediately after his hon. Friend the Member for Northampton had resumed his seat, but he failed to catch the eye of the Chair. It was that point, and that point only, that he wished to urge just now; but he wished, in conclusion, to repeat the reason why he did not proceed in the matter now was because he and his hon. Friends who were acting with him desired that there should be an efficient and a complete discussion of the matter by itself, and not complicated by the other questions which a Vote on Account included.

MR. HANDEL COSSHAM (Bristol, E.) said, he desired to say a few words in reference to the subject which had been referred to by the hon. and gallant Member for North-West Sussex (Sir Walter B. Barttelot) that it was very much to be regretted that the practice of takig Votes on Account should be growing, whereby the House was prevented from discharging the most important part of its duty—namely, that of thoroughly criticizing the expenditure of the country. He sympathized with the remark that had been made by the First Lord of the Treasury as to the time that was often wasted in debates at the commencement of the Session in connection with the Address in reply to the Speech from the Throne. He hoped that in future more time would be devoted in the early part of the Session to the consideration of the expenditure of the country. It was most objectionable to find at the end of the Session a Motion asking them to vote nearly £8,000,000 of money on account. He thought it was a scandal to be called upon to vote large sums of money without adequate discussion or adequate care. He could not but think that the necessity for this Vote might have been avoided in the exercise of greater care on the part of the Government.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.) said, he had no desire that the Committee should be detained, and therefore he would

answer the question which had been put to him at once. He should have no objection whatever to have a case stated by the magistrate for the opinion of the Queen's Bench Division with reference to Trafalgar Square; whether, however, it would settle the point which the hon. Member desired to raise he could not tell. In his judgment the matter had already been decided; but there could be no possible objection to a case being stated for the opinion of the Superior Court. The hon. Member for North-West Lanarkshire (Mr. Cunninghame Graham) had made somewhat better remarks with regard to the Chief Commissioner of Police.

MR. CUNNINGHAME GRAHAM said, that his remarks only applied to the Chief Commissioner of Police, and not to the rank and file.

MR. MATTHEWS said, it appeared to him that the Chief Commissioner had discharged a difficult duty at a difficult time with singular energy and courage, and that the people of London ought to be extremely indebted to him. As to the alleged unpopularity of the police, that he begged entirely to controvert. Undoubtedly, it might be disagreeable to some persons like the hon. Member for North-West Lanarkshire that the police should not allow them to do as they liked in Trafalgar Square; but he was absolutely convinced that with the great mass of the population of London they had not at all lost their popularity. On the contrary, the extraordinary patience and forbearance shown by the police under extreme provocation had earned to them additional respect from all law-abiding citizens who constituted the great mass of the people of London. He would, of course, keep an open mind as regarded Trafalgar Square in respect of the point the hon. Members desired to raise; but he must inform them that until the present decision of learned Judges on two occasions were reversed, he should consider that there was a strict right on the part of the police to act as they had done. He could not admit that they had transgressed the law. He quite understood that sort of feeling entertained by the persons whom the two hon. Members opposite in one sense represented. No doubt, a certain number of persons, numerically insignificant in comparison to the population of London, attached great importance to the practice of meeting in Trafalgar Square, and, to a certain extent, he sympathized with the feeling. But, on the other hand, all reasonable people must feel that although in one sense Trafalgar Square was convenient from its situation for those who went there to hold meetings, yet it was extremely undesirable that there should be congregated upon so populous, so busy, and so wealthy a spot, such an assembly of dangerous characters as must inevitably collect if public meetings were allowed there. Those upon whom was thrown the duty of maintaining order in the Metropolis without any desire to interfere with the exercise of a legal and Constitutional privilege, felt that its exercise in Trafalgar Square was most undesirable and fraught with danger to the community. As regarded the observations that had been made with respect to the discipline of the police, he must observe that if every decision of the authorities was to be reviewed in that House, the maintenance of discipline in the Force would become impossible. He could assure the hon. Member that any representation made to him personally at the Home Office would receive his most careful attention, and that no effort would be wanting on his part to prevent the police from going beyond the law, although, no doubt, the law would have to be firmly enforced.

MR. CUNNINGHAME GRAHAM said, that on the question of the right of public meeting there was one observation which would occur to any Member of common sense. No popular agitation either in regard to that House or anything else was ever brought into being by the action of one man, nor was it delayed by the action of one or two men. He would point out this fact, which he thought had not been sufficiently insisted upon—namely, that while the Home Secretary asserted that Trafalgar Square was an unsuitable place for holding popular demonstrations, it must be borne in mind that Hyde Park was a most inconvenient spot for those portions of the people who came from the South and East of London, and who would have to traverse some miles of the most populous and aristocratic streets in the Metropolis. He presumed that the Home Secretary was not so sanguine as to believe that next winter there would not be a considerable number of unemployed in

London, honest working men who could not get work to do. These persons had hitherto considered it their right to meet in Trafalgar Square, and he wished to ask the Home Secretary if he contemplated with much pleasure the task next winter of having to drive those men out of their meetings in that place to which they considered that they had a right? He would also ask hon. Members whether they thought they would be able to get over the cold weather in the winter without a considerable augmentation of the distress that was now existing?

MR. FLYNN (Cork, N.) said, the Home Secretary had told them that the London police were popular with the citizens of London. He had no desire to controvert that statement; but not the most sanguine Minister on the Front Bench, not even the Chief Secretary, with his boundless belief in his own power of doing good in Ireland, could possibly say that the police system was popular in Ireland. The Committee were asked, in a summary and inconvenient manner, to vote large sums of money on Account. He joined in the protest which other hon. Members had made against the system of taking Votes on Account. The system had now become regular, and, in his opinion, it had a strong tendency to become unconstitutional. It deprived hon. Members of the right at the proper time of voting and discussing the expenditure of the money of the taxpayers. They were now asked, at this late period of the Session, to pass a third Vote on Account for close upon £8,000,000. The present system, which was largely made available by the Government, came to this — that the Representatives of the people were called upon to vote for the money and then to discuss the Estimates when the greater portion of that money had been already spent. He considered that to be a bad system, and a system which under no circumstances could possibly work well. The First Lord of the Treasury had held out some hope that possibly next Session a better state of things might prevail. He sincerely trusted that it might, but that was no reason why they should not protest against the present system which the Government seemed so much inclined to take advantage of. They who represented the taxpayers and people of Ireland had naturally a very great interest in these Votes, so far as the Irish Estimates were concerned. In former years it had been their duty from those Benches to draw attention to much of the mal-administration of the law in Ireland and to the iniquities which were perpetrated in the name of law. It was impossible, however, when they were called upon to vote money on Account for every Department of the Public Service in Ireland to raise anything like a satisfactory discussion. They were asked to cover too much ground in too short a space of time. Instead of being able to concentrate their attention upon a particular Vote, and ask the Committee their opinion upon it, they were required to vote money upon every Public Service in Ireland, including the Lord Lieutenant's Household, the Chief Secretary's salary and office, the County Valuation and Boundary Survey, down to the smallest Department of the Public Service. He maintained that it would be far more convenient to the Irish Members, and far more advantageous to the Representatives of the Irish people in that House, to have a certain definite Vote discussed in a proper manner when the Estimates themselves came up for consideration, instead of having them placed higgledy-piggledy in one Vote, and being asked to vote so much upon them, until an opportunity was afforded for discussing the Estimates properly. There were several Votes in the Estimates upon which these Irish Members would have a great deal to say. Indeed, there was not a single Department they would not feel justified in calling attention to, and in connection with which they could not point out many serious grievances and abuses. For instance, on Vote 22, they were asked to vote a sum on account of the Lord Lieutenant's Household. He would remark upon that Vote that it struck him as very strange that the present Lord Lieutenant should require a household in Ireland at all, because, so far as his knowlege was concerned of that distinguished nobleman's length of occupation of the Viceregal Lodge, he should say that decent furnished lodgings for the Lord Lieutenant would be suitable accommodation for the amount of time the noble Lord spent in Ireland, and as to the attention he devoted to the affairs of the Irish people, furnished lodgings in some place convenient to Dublin would be quite sufficient to make provision for. Never-

theless, they were asked to vote £2,000 for the Lord Lieutenant's Household. The Lord Lieutenant spent the greater portion of his time in England. That part of his time which he spent in Ireland was distinguished by his attendance at cricket matches and in getting himself photographed. It was an advantage, no doubt, for the people of Ireland that they should have an opportunity of knowing what this estimable and good-looking nobleman was like. He thought it was far more important that they should have a Lord Lieutenant who would make himself acquainted with the affairs of Ireland, and exercise some control over the subordinate officials who at present were running amuck in the name of law and order. They should either have a Lord Lieutenant who was a real practical official, and did work of benefit and advantage to the country, or else the taxpayers should not be asked to vote large and increasing sums of money for services which they looked upon as a farce. As to the Vote for the Chief Secretary, it was highly inconvenient that they should be asked in a Vote on Account to discuss that right hon. Gentleman's tenure of office, and the various abuses which they maintained were connected with it. It would be necessary to get entirely beyond the bounds of a free discussion on a Vote on Account, if they were to go into this subject as it really deserved. The total Estimate for the Chief Secretary's Office was £20,147, and they were asked to vote that evening no less a portion of it than £16,000. Many Members on those Benches felt a natural anxiety to inquire into the enormous expenses connected with the Chief Secretary's office in Dublin. All of them felt a natural desire, and he did not think the right hon. Gentleman himself would dispute their right, to criticize many of the acts of the right hon. Gentleman's administration and many of the abuses connected with the present system in regard to which he drew his salary. He had no desire to enter into the conduct of the right hon. Gentleman at any length. He admitted that it would be inconvenient to do so in connection with the Vote on Account; but he would point out one salient feature in regard to the right hon. Gentleman's tenure of office, which it was the right hon. Gentleman's proud boast and privilege to have made a special feature of his administration. He referred to the total and contemptuous disregard displayed by the right hon. Gentleman for any expression of public opinion in Ireland, and the extraordinary manner in which he ignored every representation which was made to him, and either denounced it as inaccurate or ill-founded, treating it both inside the House and in the public Press with a contempt that certainly could hardly be regarded as the proper treatment which a statesman ought to award to the opinions of public Bodies in Ireland and to those of the Representatives of the Irish people. Various matters had been brought under the notice of the Chief Secretary; for instance, the fact that Coroners' juries in Ireland passed verdicts, after patient and lengthened investigations; but those verdicts were invarirbly quashed by order of the right hon. Gentleman, or denounced and contemptuously disregarded. They had had an illustration of that that evening. Representations had been made by public Bodies, Town Councils, Town Commissioners, and Poor Law Guardians as to certain facts; but those representations were utterly ignored by the right hon. Gentleman, who paid more attention to an official whisper from the lowest official in Ireland than to the opinions of those who were responsible public Bodies in Ireland. Last year two Members of that House were on their trial in the town of Tralee, when a certain Resident Magistrate, not unknown to fame, Mr. Cecil Roche, after leaving the Court House, headed a body of Constabulary and committed a most unjustifiable and unprecedented assault upon the people. That assault was witnessed by a large number of persons, including magistrates, town councillors, priests, and others. Indignant protests and resolutions were passed by the Town Commissioners, the Harbour Board, and other public Bodies against the conduct of the police. Those protests were forwarded to the right hon. Gentleman the Chief Secretary; but did the right hon. Gentleman pay attention to them? Did he give to those representative Bodies the small mercy of a courteous reply? No. It was part of the right hon. Gentleman's newly-inaugurated policy to make a naturally high-spirited people amenable to his whip and lash, and

to ignore their representations as if they had been presented by so many negro slaves, or people who were not worthy of attention upon any subject. Did the right hon. Gentleman think that he was advancing the cause of law and order in Ireland by such a course of procedure, or that he was carrying out the duties for which he was paid a large salary? Some time back a series of protests were forwarded by public Bodies in Ireland in the County of Cork in regard to the imprisonment of the Mayor of Cork. The Mayor of Cork was sentanced to a fortnight's imprisonment by two Resident Magistrates under the Criminal Law and Procedure (Ireland) Act; whereas if the Mayor of Cork had committed any offence, he ought to have been brought before the Court of Petty Sessions. The Cork Corporation with a Charter 500 years old, the Harbour Commissioners, the Poor Law Board, and the City Grand Jury all forwarded resolutions upon the subject, and protested against the arbitary proceedings which had been resorted to. Did they get a courteous answer? Nothing of the kind. Only a flippant or rather insolent observation at the very next public meeting addressed by the right hon. Gentleman. The right hon. Gentleman treated with contemptuous disregard the representation of every public Body in Ireland, notwithstanding that those Bodies were representative and combined all the high qualities for administration which the Government were looking forward to in establishing Local Government in this country. The only persons who appeared to be entitled to the right hon. Gentleman's high esteem were individuals who were non-representative. The representatives of Local Government elected by the people, and some of them on rather high franchises, as Town Councillors and Town Commissioners, were passed by with the greatest contempt. Then, again, the right hon. Gentleman attacked the public Press of Ireland, although in doing so the right hon. Gentleman gave neither text or proof,—nothing save his contempt for them; probably under the impression that that high-minded treatment would make him regarded with more awe in Ireland. The right hon. Gentleman had attacked every public journal that came across his path which had the temerity to stand between him and the system of despotism it was his boast to administer. *The Freeman's Journal* had commented from time to time on the cowardly and unjustifiable attacks which had been made on the people. Among other things *The Freeman's Journal* commented upon a proceeding in the Ennis Court House not many months ago. What did the right hon. Gentleman say in reference to *The Freeman's Journal*? He not only denounced the account given by *The Freeman's Journal* or the proceedings, but he accused *The Freeman's Journal* of constant and habitual mendacity. The same treatment was awarded to every other newspaper in Ireland which through its own reporters ventured to give a more truthful account than that which was supplied by official, interested witnesses. They were at once brought under the lash of the right hon. Gentleman's indignant wrath, and they were denounced as no better than a pack of scribbling liars when they ventured to lay a clear statement of facts before the country at large. If he had known that this Vote was coming on, and if he had thought it right in a Vote on Account to criticize the right hon. Gentleman's maladministration in the important position he occupied, he could have given the House a great many examples to show that instead of being conducive to the maintenance of law and order, the inevitable tendency of the policy of the right hon. Gentleman was to promote a state of things which the Irish people would not be human and would be less than men if they did not resent. There were other Departments in connection with this Vote on Account in regard to which he should have a word to say, and he again repeated his regret that the Estimates should have been delayed until so late a period of the Session. There was a Vote for the Public Works Office of £10,000. He did not see the hon. Gentleman the Secretary to the Treasury present. If he had been there, he should have liked to draw the attention of the hon. Gentleman to this Vote in connection with several matters which had been made the subject of question in that House, and which were matters that excited a great deal of attention in Ireland. One important matter had reference to the Ballycotton Pier. There had been numerous complaints in Ireland that the Commissioners of

Public Works carried out certain works that were intended for the public good in a most inefficient manner. A large sum of public money, amounting to £20,000, had been voted in connection with Ballycotton Pier, a work that was intended to benefit the fisheries. Ballycotton Pier was situated within a comparatively short distance of the fishing-bank upon which a large quantity of herring, mackerel, hake, and cod, as well as other fish, were caught. The construction of a good pier was necessary in order to make the fishing a safe occupation, and it was intended to connect Ballycotton with a station on the South-Western Railway. In the construction of the pier, no less a sum than £20,000 had been spent, in addition to a large sum which had since been paid for extras. The works had been done by the Commissioners of Public Works, but fault was found in the locality that the work was badly done. In consequence, the County Jury refused to take it over, and a report had been made by the County Surveyor and sent to the County Grand Jury. His hon. Friend the Member for Mid Cork (Dr. Tanner) had called attention to the matter by Questions addressed to the Government, and he had done so himself; but what did the Public Works Office do when there was a strong conflict of opinion between themselves and the local Bodies as to how the work was done? They were asked to appoint some public officer, some independent engineer, to send in an impartial Report to the Government. Nevertheless, they sent down their own engineer to inspect the work which had already been done by their own engineer and passed by him. He maintained that when the county surveyor or the Local Authority made strong remonstrances, and pointed out that the work was done improperly, it was desirable, in the interests of the Public Service, and in order to allay any suspicion on the part of the locality, that the Board of Works should secure an inspection by an independent engineer. The importance of the matter had been pressed upon the Secretary to the Treasury; but the hon. Gentleman was under this disadvantage—that he naturally knew nothing personally of the work, and could not be as well acquainted with the matter as either the hon. Member for Mid Cork or himself. The people of the locality certainly regarded the whole matter as a job. There had been many complaints in reference to the execution of works in connection with piers in Ireland. No doubt the Commissioners of Public Works were rendering valuable services; but, at the same time, there could be no doubt that a considerable amount of jobbery had been perpetrated under the protection of that Department, and much dissatisfaction had been felt and expressed at the way in which public works had been undertaken in Ireland. He was unable to say where the defects of the system were. The right hon. Gentleman the Chief Secretary had introduced two Drainage Bills; but he had never shown an overwhelming anxiety to press them forward or to secure their discussion at a reasonable hour. If all the drainage works in Ireland were to be placed under the Public Works Commissioners, it was felt that the Department ought to be entirely re-organized and new blood introduced into it. There were some other matters he should like to comment upon; but he had no desire to detain the Committee at further length. For instance, there was the Vote in regard to the Registrar General's Office. In connection with that Vote last year, the Chief Secretary gave a sort of guarantee to the hon. Member for West Mayo (Mr. Deasy) and himself, that he would cause an inquiry to be made as to the manner in which the Registrar General collected statistics in reference to the prices which regulated the sale of agricultural produce. He was not aware that any change had, as yet, been made, and on consulting *Thom's Almanac*, he found that the prices quoted there, which were taken from the Registrar's Returns, were quite as fallacious and misleading this year as they had been in previous years. He was quite aware that the right hon. Gentleman the Chief Secretary knew nothing personally of these things. That, however, was the curse of the system, and, although the right hon. Gentleman was unable to get all the details in connection with the Returns, they did, undoubtedly, affect the people of Ireland in a very important degree. It must be borne in mind that the Sub-Commissioners, in fixing judicial rents in Ireland, went entirely on the prices given by the Registrar General, and quoted in *Thom's Almanac;* but it had been pointed out to the Govern-

ment 12 months ago, that the prices quoted in *Thom's Almanac* had been in excess by 20, 25, 30, and, in some cases, by 50 per cent of the prices quoted for the local markets. If the Committee had not been discussing a Vote on Account, he should have been prepared to give statistics proving every one of his assertions. The hon. Member for Mayo did so 12 months ago, and it was impossible for anyone acquainted with agriculture in Ireland not to see that the prices given from the Registrar General's Returns in *Thom's Almanac* were not the prices obtainable in the market. Another important item dealt with in the Vote on Account was the Estimate for Law Charges and Criminal Prosecutions in Ireland, and if it had not been a Vote on Account, he should have had much to say upon the Charges for Criminal Prosecutions. Instead of those prosecutions being instituted in the Court of Petty Sessions, wherever it was possible to do so, they were brought before the newly-constituted Coercion Courts. The consequence was that men charged with crime were not brought before the unpaid magistrates, who, no doubt however preprejudiced they might be, were, at least, independent of the Government influence. The consequence was that the Vote for Law Charges and Criminal Prosecutions was largely swelled. He asked the Committee to take note of the amount of these charges for the present year, and if the beneficent system inaugurated by the Chief Secretary was to continue, he ventured to predict that the Vote would be much larger next year than it was now. Perhaps, as long as the British taxpayer paid the piper, the Irish people could not object to the amount of the Vote; the system was all they could object to. But, in this case, they were not only Irishmen at the right hon. Gentleman's mercy, but Representatives of the taxpayers, and it was, therefore, in their interests to point out how this Vote was connected with an infamous system of administration.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) said, he quite agreed with the hon. Gentleman that the question of prices was a very important one in connection with the whole system of these Returns in Ireland, and with the consent of the Treasury a new and very elaborate system was about to be adopted in regard to the prices obtained for agricultural produce in a manner which he hoped would prove satisfactory.

MR. FLYNN asked, if the right hon. Gentleman would give any facilities for investigating this new and elaborate system, so that it might be ascertained whether it would meet the requirements of the case?

MR. A. J. BALFOUR said, he was not aware that any special facilities could be given.

MR. JOHN MORLEY (Newcastle-upon-Tyne) said, he rose for the purpose of calling attention, in connection with the Vote for Law Charges, to a case which he had once or twice introduced to the notice of the Chief Secretary in the form of a Question—namely, the case of Mr. Latchford, who was now undergoing a sentence of imprisonment passed on him by Mr. Roche and another Resident Magistrate in a Court constituted under the Criminal Law and Procedure (Ireland) Act. He would state the circumstances of the case as simply and shortly as he could. Mr. Latchford was a Justice of the Peace, a Protestant, a man of considerable wealth and position in the neighbourhood of Tralee, and the owner of four or five corn mills. A few months ago he constructed a new steam mill, and obtained permission from the Town Commissioners to lay down pipes to supply his boilers with water from the River Barrow. In the neighbourhood there was a rival millowner, a Mr. M'Cowan, who contended that the permission given to Mr. Latchford to lay down his pipes was *ultra vires*, and disputed Mr. Latchford's right to lay them down. In consequence of that dispute proceeding were taken by a Motion for an injunction in the Rolls Court in Dublin. While those proceedings were running their course, Mr. Latchford was advised by a local solicitor that he had a right to alter the pipes. On the 22nd of June he attempted to effect that alteration, but he found the rival millowner on the spot. Scuffling and a good deal of strong language ensued, and Mr. Latchford was forced to retire. Now, it was in consequence of his part of the proceedings that on the 25th June the summons was eventually issued against Mr. Latchford. The Committee would see the position, and that Mr. Roche was in a very high-

handed and unjustifiable way asserting by main force, rightly or wrongly, a legal right which had not then, although it had since, been settled by the Rolls Court. He (Mr. John Morley) did not for a moment defend Mr. Latchford's action; but he hoped the Committee would recognize the origin and nature of the transaction. Evidence was given as to Mr. Latchford's conduct in the so-called riot of June 25 by constables in the Crimes Act Court. One of those constables, named Riley, said that he saw a number of people assembled at the weir; that he immediately went to the barracks and returned at 3 o'clock; that 100 or 150 people were there at the time, and that all was quiet; that about five minutes past 3 o'clock Mr. Latchford with from 80 to 100 people arrived, some of whom were cheering, and that he thought Mr. Latchford was at the head of them. A regular *mêlée* followed, some of the men being thrown into the river, and there was great excitement. The constables specified four charges of assault, but said the spectators did not seem to be in terror or alarm; indeed, they rather enjoyed the scene. Another constable testified very much to the same effect, and said that Mr. Latchford during the whole of the proceeding did his best to keep the people quiet, and when there was a hand to hand encounter jumped into the water to separate the parties. He added that the number of police present was so small that he believed that it would have been impossible to keep the people quiet had it not been for Mr. Latchford. He (Mr. John Morley) said there was nothing agrarian, nothing political, and nothing really serious in the whole affair. Mr. Latchford had apparently committed an assault on the man Tackerberry, and he did nothing more. There were several magistrates present in the House at that moment, and he would ask them what would have been done in England if a disturbance of that kind had taken place? Was it conceivable that anything occurred there to justify resort to extraordinary repressive legislation? Certainly not. Mr. Latchford would have been dealt with under the ordinary law in England. No summons was issued against Mr. Latchford for 10 or 11 days after the occurrence. If the case was so serious, how did it come about that there was this considerable delay? However, in due time the summonses were issued, the circumstances were reported to the Divisional Magistrate—Colonel Turner—who received the information from the constables or other persons. Colonel Turner wrote a very unwise letter, which had already been published in a newspaper a week ago. He said that when he received the information and the report made upon *ex parte* information, he thought Mr. Latchford ought to be made a prompt example of. That was, in his mind, upon his own avowal. He did not summon Mr. Latchford for assault; but he strained and exaggerated what Mr. Latchford had done, so as to make it a case not of assault, but of riot. His (Mr. John Morley's) own conclusion, looking at all the facts so far as they were accessible, was that the assault was considered a riot in order to bring Mr. Latchford into the Coercion Court for the purpose of making him a prompt example. He would call the attention of the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) to the fact that the ordinary Justices in Petty Sessions, trying this as a case of assault, would have been able to pass a severer sentence on Mr. Latchford than could be passed upon him for riot in the Coercion Court. The Government might say that they could not trust their magistrates; but, if they did, it would be an extraordinary and fatal admission. They knew that they could not trust their juries; but if they went on to say that they could not trust the Bench of Petty Sessions Magistrates, then it shed a still more remarkable light upon the administration of the law in Ireland. The right hon. Gentleman the Chief Secretary for Ireland, in his answer to his Question, had rather put him inadvertently upon a false scent when he said that the Divisional Magistrates had taken the course of directing a summons to be issued for riot and not for assault as being less expensive than an indictment. But from the letter of Colonel Turner in *The Times* it appeared that the question after all was one as between two methods of summary procedure. What reason was there why Colonel Turner did not direct the ordinary law to be resorted to in order to punish what was after all an ordinary offence. As to there being a riot—would anyone contend that, under these cir-

cumstances, it would have been worth while to read the Riot Act? It would have been a farce, and it was a farce, to pretend that this was a riot, or that it had the essential features of a riot. He wanted to know why proceedings were not taken for assault; why the case was regarded as so serious; why there was so much delay in issuing the summons; and whether the right hon. Gentleman would produce the Report or information which guided Colonel Turner in directing a summons to be issued for riot? On the 9th of July, Mr. Latchford was taken before the Resident Magistrates under the Crimes Act and sentenced to one month's imprisonment. His counsel or solicitor applied that the sentence might be increased in order that there might be an appeal, but the appeal was refused, and the magistrate, Mr. Cecil Roche, said it had been remarked by a great historian of this country that the population of the county of Kerry, both gentle and simple, required to be taught a lesson; and it was in order to teach the gentle and simple of the county of Kerry, and justify the remark of the great historian, whoever he was, that this vindictive sentence—he could call it by no other name—was passed on Mr. Latchford. Why did he use the word "vindictive?" He would rather say why it was that it looked like vindictiveness? Because it appeared that there had been a personal criticism passed by Mr. Latchford upon Mr. Cecil Roche. Mr. Cecil Roche had in December, as Executive officer, he believed, caused some crowds in Tralee to be batoned; and Mr. Latchford, at a meeting held to condemn this proceeding, supported a resolution of censure. Therefore it was that they had this most awkward state of things brought about. Mr. Roche, as magistrate, tried the very man who had condemned his action as a policeman, a fact which gave a very awkward aspect to the affair. This charge was an exaggerated one and an unreal one, the punishment was an excessive one, and the motive appeared to have been a suspicious one. He would not ask the Government or the Committee to rely upon his account or the colour he was endeavouring to give to the transaction, but would quote a word or two, not from a Nationalist organ, but from the Tralee Conservative newspaper of the county of Kerry. *The Kerry Evening Post* said, that the imprisonment of Mr. Latchford for one month on a charge of riot in connection with his forcible assertion of a supposed right on the river, had been the subject of repeated discussion since the event took place on the previous Monday; it was generally felt that the term of imprisonment inflicted, if there was to have been imprisonment at all, was excessive, as the riot was, in fact, an amusing exhibition, that was looked forward to by the people of Tralee as they would look forward to a circus or some such entertainment. The Conservative editor of *The Kerry Evening Post* was not the only one of that political creed who apparently sympathized with Mr. Latchford in the opinion that the sentence upon him was grossly excessive, for he was told that a considerable number of Conservative Magistrates had called on Mr. Latchford in prison to express their sympathy with him. He would not take up the time of the Committee further than to point out that this was but an illustration of what was foretold would be the use made of the Coercion Act; it was stated again and again that this Act, which was said to be directed against crime and terrorism, would be abused as it had been in this instance. Mr. Latchford was not a marauder, but a man of substance and position. The Act had been in this instance seriously abused. Even granting that the Act was justifiable, this use of it was entirely indefensible, and Mr. Latchford was at that moment suffering a sentence which ought never to have been inflicted upon him.

Mr. A. J. BALFOUR said, that the right hon. Gentleman opposite (Mr. John Morley) had twice, in the course of his remarks, stated that Mr. Latchford was a man of substance and position, but he (Mr. A. J. Balfour) was not aware that this Crimes Act, any more than any other Crimes Act, was intended to be directed against the poor, and leave out of its purview the well-to-do. The fact remained that the disturbance had occurred, and, so far from considering the circumstances that Mr. Latchford was a man of wealth and position as being any reason why he should receive different treatment from other members of the community, he thought that it greatly aggravated his

position. It appeared that Mr. Latchford was advised by his solicitor that the proper method was to go and take violent, or, at all events, forcible possession of the land, in order to lay his pipe for the purpose of bringing water to his mill.

MR. JOHN MORLEY: The solicitor advised that he had a legal right to lay his pipes.

MR. A. J. BALFOUR said, he had no doubt that the solicitor advised him this, and that on his advice he went to law, but he had also advised him to take this particular method of exercising his right. [An hon. MEMBER: No.] At all events, Mr. Latchford did proceed by way of riot to enforce rights which were at that moment *sub judice*. That would have been an extraordinary proceeding in England, but still more extraordinary in the case of a man who was himself a magistrate. The right hon. Gentleman had certainly minimized unintentionally the disturbance which had taken place. It appeared that Mr. Latchford, at the head of 150 men, proceeded to attack those who had been drawn up in the neighbourhood of the dispute, that a struggle took place, and that a very serious riot was only prevented by the police rushing between the contending parties with drawn swords. The case certainly could not be rightly described as a mild case, for which proceedings ought not to have been taken, either by the magistrate who committed Mr. Latchford or the magistrates in the Crimes Court. He had no doubt that the inhabitants of Tralee view the incident in the light of amusement, and that there was nothing in the world that they would enjoy more than a free fight. [*Cries of* "Oh!"] Everyone knew that in certain parts of Ireland faction fights were one of the most amusing forms of diversion. [Mr. SEXTON: Where? Name them.] A few broken heads in Tralee were not looked upon as a very serious matter. [An hon. MEMBER: Of course not.] The gravamen of the charge of the right hon. Gentleman was that an offence of assault had been deliberately stretched by Colonel Turner into the offence of riot. Now, he (Mr. A. J. Balfour) claimed that there was not the slightest evidence of that, and he was not only sorry that the right hon. Gentleman should accuse Colonel Turner of having stretched the character of the charge on which Mr. Latchford was tried, but that he should also have attributed to Colonel Turner a somewhat mean motive in adopting that course. A more serious accusation could not be made against any person in a responsible position, and he was sure that anyone acquainted with the character of Colonel Turner would know that the accusation of the right hon. Gentleman was wholly without foundation. He was advised distinctly that the case was one of riot and not a case of assault, and that Colonel Turner had been right in deciding that it should be tried before the Crimes Court, where the procedure was rapid and effective. This was one of the cases other than agrarian which the Crimes Act was intended to deal with. The right hon. Gentleman was aware, that by the application of certain sections of that Act the Government had been able to deal summarily and satisfactorily with the riots in Belfast. It was deliberately passed with the intention of trying such cases of riot as that committed by Mr. Latchford, and had been in the hands of the authorities effectually used in quieting disturbances in Ulster—quieting the town of Belfast. Therefore, to say that the Act was to be applied to agrarian cases alone was really to ignore the position which the Government had deliberately taken up with reference to crime in Ireland. There was only one other point in the speech of the right hon. Gentleman that he had to deal with. The right hon. Gentleman had attempted to put a darker colouring on the picture he had drawn by stating that the magistrate who tried Mr. Latchford had a private grudge against him, and had recommended that the Lord Lieutenant of Ireland should remove him from the Bench of Magistrates. That statement had been before him on a former occasion, and he remembered to have contradicted it in the House. [An hon. MEMBER: When?] In answering a Question across the floor of the House. Mr. Roche had assured him in general terms that he had never been brought into conflict with Mr. Latchford, and that there was between them nothing that would have made it improper for him to deal with this case. Having, as he believed, answered the contention of the right hon. Gentleman by showing that the

riot was such that the police had been obliged to rush with drawn swords between the parties to prevent serious consequences; that the Crimes Act was not intended, as it seemed to have been supposed, to deal with agrarian cases only; that it had been applied in precisely the same manner in Tralee as it would have been in Ulster; that in view of the arbitrary proceedings of Mr. Latchford the magistrates had acted to the best of their judgment; and under these circumstances he thought that the Committee would agree that they had acted rightly.

MR. EDWARD HARRINGTON (Kerry, W.) said, the right hon. Gentleman the Chief Secretary for Ireland had distinctly stated in the House that there was nothing between Mr. Latchford and Mr. Roche that would make it improper for the latter to deal with this case. He had asked the right hon. Gentleman a Question on the subject in the House, and had never been able to get a denial from him. A Resolution had been passed at the Chamber of Commerce, at a meeting at which Mr. Latchford was present, and a censure was passed on the action of Mr. Roche. His conduct was considered so gross that there was hardly a man in Tralee, no matter of what shade of political opinions, who did not express his disgust for it. Mr. Latchford was generally credited with having Home Rule sympathies; he carried on his business among all sections of the people; he was not a member of the National League or the Land League, but he felt it his duty to condemn as furious and violent the conduct of Mr. Roche on a certain occasion. At the meeting referred to, of the citizens of Tralee, Mr. Latchford and Mr. Donovan were present, and a Memorial to the Government was adopted asking for the removal of Mr. Cecil Roche and the substitution of another magistrate in whom the people had confidence. But not a line by way of answer had been sent in reply to that Memorial. It was signed by Mr. Latchford and Mr. Donovan, and by the Chairman of the Tralee Town Commissioners. The right hon. Gentleman said that there was no ground of conflict between Mr. Latchford and Mr. Roche, but in the Memorial the latter was denounced as a shedder of blood. The hon. Member for Wednesbury (Mr. P. Stanhope) had gone down to Tralee on the 2nd of August, and witnessed the batoning charge; and he felt it his duty to make to the people the hopeless promise that redress would be had in the House of Commons, and that the conduct of Mr. Cecil Roche should be prominently put forward. On that occasion Mr. Roche was present in the next compartment of the railway carriage, and he ordered summonses to be issued; but the Authorities were acute enough not to proceed. He wrote a letter to the English newspapers denying that he had a stick in his hand when it was stated that he had; but he (Mr. Edward Harrington) could produce affidavits to show that this was the case, and had it not been that he had other than his own responsibility resting upon him at the time, he would on that occasion have made short work of Mr. Cecil Roche. The right hon. Gentleman said that not a single particle of difference had occurred between Mr. Latchford and Mr. Roche. But would he deny that there was in Dublin this protest from the Town Commissioners of Tralee and the protest from the Chamber of Commerce, both signed by Mr. Latchford? Would he deny that Mr. Roche did not report, and also cause to be reported by others, the action of Mr. Latchford and Mr. Donovan, and that the Lord Chancellor did not write a letter on the subject?

MR. A. J. BALFOUR: I cannot admit the accuracy of the statement.

MR. EDWARD HARRINGTON said, he had reason to know that what he had stated was correct. He had charged the three magistrates in writing, and was ready to lodge any reasonable costs to try out the issues between them and himself. He charged Mr. Bateman with rowdyism, Colonel Turner with cowardice, and Mr. Roche with falsehood, and he had offered them to choose their own tribunals, civil or criminal, for the hearing of the cases, he lodging reasonable costs. Certain rights had been given, foolishly, in his opinion, to Mr. Latchford by the Town Commissioners with reference to the use of steam power on a little river at Tralee; Mr. Latchford had a dispute with another person about the laying of a pipe in the river; he had bought a yard adjoining, and had the permission of the overseer to lay the pipe in the river, but he laid it at too high a level; he went to the

Town Commissioners of Tralee, and asked permission to sink his pipe at a lower level; he obtained permission, and went with two or three men to do the work. It was not Mr. Latchford who began the alleged riot. The riot and assault was on the part of Mr. M'Cowan. On the Monday Mr. Latchford, who had failed to carry out his intention of sinking his own pipes to the level he desired, went to the dam, and found Mr. M'Cowan there with a body of men, not defending Mr. M'Cowan's own pipe, but surrounding the place where Mr. Latchford's pipe was, and preventing Mr. Latchford's men from sinking his pipe. Mr. Latchford had been advised by counsel that he had the right, having got permission from the Town Commissioners, to sink a pipe there. He accordingly went there, and in the course of the altercation Mr. Latchford pushed Tackerberry, one of Mr. M'Cowan's men, into the water. Mr. M'Cowan, who was standing on the bridge, and who knew the Executive Government was on his side, called out to Tackerberry—"That will do; you have been assaulted." That was the riot. Now, the man who had been assaulted had a remedy at law; but the Crown officials in Tralee put themselves in communication with Mr. M'Cowan, and assured him that they would make an example of Mr. Latchford. Mr. M'Cowan, who commenced the so-called riot, was not brought up, but Mr. Latchford was brought before Mr. Cecil Roche, a magistrate whose action Mr. Latchford had felt it his duty to denounce a short time ago in three Resolutions, one by the Tralee Town Commissioners, another by the Tralee Board of Guardians, and a third by the Chamber of Commerce. If a selection of magistrates could be made to try particular cases, he (Mr. Edward Harrington) asked why was Mr. Roche sent all the way from Kerry to Clare to try this case? Why was not Captain Walsh, who was near at hand, chosen for the case? Mr. Cecil Roche was, no doubt, chosen in order to mark more in the minds of the people the vindictive spirit of the Government against them. What was the fair and dispassionate view Mr. Roche took of the case? In order to mark Mr. Roche's insincerity, the counsel for Mr. Latchford asked that the sentence should be increased from a month to a month and a day or a week, so that as this was a question of title there could be an appeal. Mr. Roche refused to increase the sentence as desired, or to state a point of law, and this only showed the venom and vindictiveness of the whole proceeding. He (Mr. Edward Harrington) did not hope to make the present Government ashamed of anything. There was no blush mantled their cheek when they were convicted of the wilful murder of a man with whom there was not one of the Government fit to compare. No blush of shame mantled their cheek when they were convicted of lending the forces of the Crown to drive the people from their homes and to dismantle their roof trees. There was no shame in them for any of these transactions. He asserted deliberately and solemnly that there was not one word of truth substantially in the statement the right hon. Gentleman the Chief Secretary had made to-night. The right hon. Gentleman did not deign to listen to him; but if it was not his own fault, and if he had been misinformed, did he not think it worth his while to inquire into the facts of the case? No doubt the present Executive would proceed with further animus, and inform Mr. Latchford, through their Tory Lord Chancellor, that he was no longer to hold the Commission of the Peace. If that was done the Irish Members would then raise this matter in another form. Mr. Latchford, personally, did not care a fig whether he was struck off the Commission of the Peace or not. There was a time when gentlemen in Ireland, even of Nationalist opinions, valued the Commission of Her Majesty to do justice between their fellow-men; but at the present time it was only the partizans of the bigots who were allowed or cared to hold the Commission of the Peace. In the county of Kerry the greatest partizanship had been displayed in respect to the Commission of the Peace. There a bankrupt had been appointed to the Commission of the Peace to do justice between himself and the tenants who were at loggerheads with him and the Executive Government. Now, he left the right hon. Gentleman the Chief Secretary to answer the statements he had made respecting the proceedings between Mr. Latchford and Mr. M'Cowan. Those statements were not made recklessly, but they were made by a man whom

they had never yet convicted of falsehood; they were made by a man who valued his character as highly as any one of the Members of the Government.

MR. T. P. O'CONNOR (Liverpool, Scotland) said, that though the events on which this debate had arisen were in themselves of small importance, he thought they had led to as important a debate as had ever occupied the attention of the Committee since the present Government came into Office. Let him point out to the Committee what were the issues which were really in debate. In the first place, they had to consider the very important question of how far the information and the answers of the right hon. Gentleman the Chief Secretary for Ireland in regard to Irish affairs were worthy of credence. He regretted to find that the right hon. Gentleman the Chief Secretary did not think it worth his while to remain in the House while this important question was under discussion, and if the right hon. Gentleman's absence continued he should feel it his duty to compel his presence by some means or other. The second point under consideration was how the Crimes Act was administered in Ireland; and the third, a most important point, was whether or not the Magisterial Bench in Ireland was made the instrument of private vengeance? [Mr. A. J. BALFOUR at this point returned to his place.] He saw the hon. and gallant Gentleman opposite (Sir John Colomb), who represented a London constituency, and who, he understood, claimed some association with the county of Kerry. His hon. and learned Friend the Member for West Kerry (Mr. Edward Harrington) told him that the hon. and gallant Baronet was a magistrate of Kerry, and, moreover, that he was a fair magistrate. He (Mr. T. P. O'Connor) hoped his conduct on the Bench was different to his conduct in the House, because, when the hon. and learned Member for West Kerry was describing the brutal assaults on old women and children by Mr. Roche, his statements were received by the hon. and gallant Gentleman with a sneering laugh.

SIR JOHN COLOMB (Tower Hamlets, Bow, &c.) said, he was sorry to interrupt the hon. Gentleman; but he felt bound to say that the only point of the hon. and learned Gentleman's (Mr. Edward Harrington's) speech at which he laughed, was where he said that the little stream was called the big river.

MR. T. P. O'CONNOR said, of course he accepted the hon. and gallant Gentleman's explanation, and he was very glad to find that he was incorrect in his impression that the hon. and gallant Gentleman had thought fit to receive with jeers and laughter the hon. and learned Gentleman's description of the conduct of Mr. Roche in batoning old people, and even children coming from school. Now, let him deal with the credibility of the right hon. Gentleman the Chief Secretary for Ireland first. The right hon. Gentleman had said that he had, in answer to a Question, repudiated the charge of personal feeling between Mr. Roche and Mr. Latchford. The right hon. Gentleman was interrupted by the hon. and learned Member for West Kerry, who asserted that the right hon. Gentleman's statement was incorrect, and that, as a matter of fact, he had given no such answer.

MR. A. J. BALFOUR said, he did state in the House that he believed that he had, in answer to a Question on a previous occasion, said that there was no difference between Mr. Roche and Mr. Latchford, and then it occurred to him that his memory might have misled him, and he did not withdraw what he had said, but added that he was uncertain. It now appeared that his memory was perfectly accurate, and that he had said in the House there was no difference between Mr. Roche and Mr. Latchford.

MR. T. P. O'CONNOR said, that that was not the Question the right hon. Gentleman was asked. The right hon. Gentleman was asked by the hon. and learned Gentleman (Mr. Edward Harrington) whether he had answered a Question addressed by him in regard to this matter.

MR. A. J. BALFOUR: No.

MR. T. P. O'CONNOR: However, it was a small point, and he did not want to raise any controversy on it, as there were much more important points requiring their attention. The right hon. Gentleman said now that Mr. Cecil Roche declared to him that he had no cause of conflict with Mr. Latchford, whom he convicted. The right hon. Gentleman must acknowledge that he made that statement. The right hon. Gentleman also expressed his faith in

the perfect veracity of that statement. Would the right hon. Gentleman get up now and say that, after the speech of the hon. and learned Member for West Kerry, he still adhered to that statement?

MR. A. J. BALFOUR: Certainly.

MR. T. P. O'CONNOR: The right hon. Gentleman adhered to that statement; let him (Mr. T. P. O'Connor) point out what actually occurred. The statement of Mr. Roche was that he had no cause of conflict with Mr. Latchford. The statement of the right hon. Gentleman the Chief Secretary was that he put perfect credence in that statement. The facts brought out by the hon. and learned Member for West Kerry were that Mr. Latchford had come into most serious collision with Mr. Roche by taking a most prominent part in the meeting which condemned the conduct of Mr. Roche. He left the Committee to judge between the right hon. Gentleman and his hon. and learned Friend, as to who was the more correct in this matter. His hon. and learned Friend had mentioned the important fact that there was in Dublin Castle, at the present moment, a Petition calling for the removal of Mr. Roche from the Magisterial Bench, and that this very Petition had been sent by the very Mr. Latchford with whom Mr. Roche said he had no cause of conflict. He (Mr. T. P. O'Connor) had dwelt upon the matter for the reason that this was a fair specimen of the kind of answers which they got from the right hon. Gentleman in regard to the administration of affairs in Ireland. He called to the attention of the Committee, and even of the hon. and gallant Gentleman the Member for North Armagh (Colonel Saunderson), who was the *ne plus ultra* of the supporters of the right hon. Gentleman, that the right hon. Gentleman said that the clauses of the Coercion Act were applied specially for the purpose of putting down Orange riot in Belfast.

MR. A. J. BALFOUR: I never mentioned the word "Orange."

MR. T. P. O'CONNOR said, there was no rioting in Belfast except Orange rioting. [*Cries of* "Oh, oh!"] Well, he would say there was no rioting except that originally provoked by the Orangeman. [COLONEL SAUNDERSON: Oh, oh.] Now, he did not want to get into conflict with the hon. and gallant Gentleman; what he wanted to ask those Gentlemen who were well acquainted with the doings of the Orange Body was, if they knew of any instances in which the Coercion Act had been employed for the purpose of putting down rioting in Belfast by the Orange Party? If they were able to give the Committee any instances, he would have a higher opinion of the right hon. Gentleman in his administration of the Coercion Act than he had at present. He saw an able lawyer opposite, who shared with him the honour of representing Liverpool; he saw also a still abler lawyer opposite, who represented the constituency of Deptford (Mr. Darling). Of course, the hon. Gentleman would understand that he did not say that in an uncomplimentary sense, and he put it to those hon. and learned Gentlemen as English lawyers, whether it was proper or possible for a magistrate to try a man with whom he had had such serious personal conflict and differences as were now proved to have taken place between Mr. Latchford and Mr. Cecil Roche? [*A laugh.*] He saw the right hon. and learned Lord Advocate (Mr. J. H. A. Macdonald) laugh, but laughing was really the largest contribution towards their debates which they got from the right hon. and learned Gentleman. He put it to the right hon. and learned Gentleman whether it would be possible in Scotland for a man to sit on the Bench to try another man with whom he had such serious personal differences and conflict as Mr. Roche had with Mr. Latchford? But he had not put the case as strongly as he might. This was not the case of a magistrate sitting on the Bench in the ordinary and regular course of affairs; but it was the case of a man being specially chosen to try a particular case. Mr. Cecil Roche sat in Tralee for the purpose of trying this particular case; he was deliberately chosen by the Authorities, acting under the right hon. Gentleman the Chief Secretary, to sit and to try this particular case. He put it to his hon. and learned Colleague opposite, whether it would be possible in England, whether it would be possible in Liverpool, that a magistrate should not only sit, but be chosen to sit, in a case where there was such serious conflict as there was between Mr. Cecil Roche and Mr. Latchford? Mr. Roche was selected to try his personal enemy and personal antagonist, selected to try

him under an extraordinary law for an offence which might have been well tried under the ordinary law. Last week Mr. Roche was also chosen to try the cases which arose out of the Vandeleur evictions. What happened in England? If they took up the newspapers any day they found that the same Courts were day after day presided over by the same magistrate. As a matter of fact, no magistrate was transferred in England without his previous consent having been obtained by consultation with the Home Office; but that was not the case in Ireland. A magistrate was chosen for the district, and that, he (Mr. T. P. O'Connor) maintained, was a prostitution of the Magisterial Bench. The difficulty there was always in debating Irish questions in England was that Englishmen were under the delusion that the same names meant the same things in the two countries. A landlord in Ireland was not like a landlord in England, neither was an Irish magistrate like an English magistrate. When they spoke of Irish magistrates the English people ran away with the idea that a magistrate in Ireland meant the same impartial and thoroughly independent personage he meant in England. Therefore they were always subjected to grave misrepresentation and unfounded attack when they criticized severely the action of magistrates in Ireland, because the people of England were under the delusion that a magistrate in Ireland and a magistrate in England were pretty much the same kind of personages. In Ireland a magistrate was paid by the job. A Trades Unionist in England would refuse to work at the forge or at the bench on the same piecework principles as were applied to such a sacred duty as that of the magisterial duty in Ireland. Now, he had shown how much credibility was to be attached to the statement of the right hon. Gentleman the Chief Secretary. The right hon. Gentleman had said that in the case of Mr. Latchford the collision was of a very serious character, because the police were called upon to intervene with their swords. The right hon. Gentleman prefaced that statement by the remark that faction fighting was still dear to the Irish people. That remark would have been quite worthy of Mr. Macdermott in one of the music halls of London; but whether it was worthy of a Gentleman who, for good or ill, was at present the Chief Ruler of Ireland, was a matter which he left to his taste and discrimination to be decided. As a matter of fact, faction fighting had gone out in Ireland; so much the better, possibly, for the right hon. Gentleman. This was a conflict about two pipes laid in a river. Mr. Latchford did not attack the pipe laid down by his antagonist, but was defending his own pipe. That, he thought, had a very important bearing on the case. [*A laugh.*] He was very glad that this subject was the cause of merriment to the hon. and learned Gentleman the Member for Ashton-under-Lyne (Mr. Addison), who occupied a seat in the House by virtue of the casting vote of the Mayor of his constituency. When he was interupted by the laughter of the hon. and learned Gentleman, he was saying that Mr. Latchford was defending a pipe laid down by himself, and not interfering with the pipe laid down by his antagonist. When hon. Members opposite voted for the Crimes Bill of the Government, did they vote for it with the idea or the intention that all the terrible powers and machinery of the Bill would be put in motion in order to settle a petty and miserable dispute between two rival owners of pipes in a small stream? The Bill was brought in to put down serious crime, moonlight marauding, murders, and such things, which existed only for debating purposes, and which, as a matter of fact, did not exist at all in Ireland except in one county, which, he thought, would not be made very much more peaceable by such brutalities as had taken place in this case. Mr. Latchford was, a short time ago, tried and convicted by Mr. Cecil Roche. Nothing could be more disastrous to anything like respect for law than that an example of rowdyism and lawlessness should be given by those who administered the law. His hon. and learned Friend the Member for West Kerry was tried by Mr. Cecil Roche. When the trial was concluded—he spoke now on the testimony not only of his hon. and learned Friend the Member for West Kerry, but on the testimony of his hon. Friend the Member for Wednesbury (Mr. P. Stanhope)—and his hon. and learned Friend came out of the Court as a prisoner, a few cheers were raised by a few stray boys and girls. Mr. Cecil

Roche thought that fact sufficient to justify him in leading a baton charge, in which old people and young children coming from school were the chief victims. If he were able to bring before the House all the ill-treatment inflicted on the people by Mr. Cecil Roche in Ireland, he was sure he would shock the sensibilities of hon. Gentlemen opposite. He supposed that most hon. Gentlemen belonged to the Society for the Prevention of Cruelty to Animals; if not, they ought to, because it was a most useful Body. If any hon. Gentleman saw a dog or a cat treated in the streets of London as boys and girls and old people were treated by Mr. Cecil Roche in the streets of Tralee, he did not think that any hon. Gentleman would hesitate to go to the nearest policeman and have the person maltreating the animal arrested and convicted for his brutality. Was it not shocking that things of this kind were allowed to be done by magistrates in Ireland; not only allowed but defended with all the vigour and vehemence at his command by the right hon. Gentleman the Chief Secretary for Ireland, who was the superior officer of this gentleman? What was the lesson taught by the speeches of the right hon. Gentleman the Chief Secretary to his subordinates in Ireland? They charged officials in Ireland with brutality, and the only satisfaction they got from the right hon. Gentleman was a defence in the most vigorous terms of every act of these men. What effect must all that have upon these officials? It must mean to them that the more brutal was their conduct the higher was their place in the estimation and the confidence of the right hon. Gentleman. Hon. Gentlemen opposite called themselves the Unionist Party. He did not agree with that epithet, but he accepted it for the sake of argument as a proper title. He assumed that every Unionist thought there ought to be equal justice for Ireland and for England; that the Irish people ought to be attached to this country by the feeling that every man in Ireland was sure of justice at the hands of the House and at the hands of the Rulers placed over them. ["Oh, oh!"] That was a principle which evidently received support from the hon. and learned Gentleman who, as he had said, sat in the House by the casting vote of the Mayor of Ashton-under-Lyne. He should say it was a principle which would have to be accepted by every man who had ever claimed to be a rational human being. He put it to hon. Gentlemen opposite, if they thought and expected that Ireland was always to be ruled by force, did they not look forward with hope to the time when the people of Ireland would be as attached to this House, to the legislation of this House, and to the institutions and officials of this House, as were the people of England themselves? How could they reconcile that hope with the present state of things in Ireland, and which as late as to-night had received the official sanction of the right hon. Gentleman the Chief Secretary? Did hon. Members think the Irish people could be attached to England, to this Parliament, to the officials of this country, when they saw a magistrate selected to try his personal enemy and his political enemy; when they saw a magistrate step down from the Magisterial Bench, go into the street, and beat old men and women in the most brutal manner, and when, instead of that magistrate getting any reproof from the Chief Secretary, he was chosen by the Chief Secretary for every delicate and difficult duty, and held the very highest place in the eulogies which the right hon. Gentleman bestowed on his subordinates in Ireland. From the commencement of the operation of the Coercion Act up to March last, Mr. Cecil Roche had tried 37 cases. In those cases there were 90 persons involved, and out of the 90 he convicted 84. The other day they saw the manner in which this magistrate conducted judicial proceedings. Mr. Cecil Roche was just as much one of the Vandeleur evicting party as the Emergency man paid by the landlord to superintend the evictions. After he had done his work as an assistant Emergency man, as a head policeman, without even a change of clothes, still wearing his billycock hat, he proceeded to deal with the prisoners he had helped to make. He sat on a wall, and after the manner of "St. Louis" of France, under a beech tree, this modern Cadi dispensed justice. The right hon. Gentleman the Chief Secretary might say that Mr. Roche's presence was justified by the necessity of prompt justice, and that he was only employed for the purpose of remanding the prisoners. But the same magistrate

who was Emergency man and policeman and magistrate to remand the prisoners, was also the magistrate to finally try the prisoners. This was the kind of thing which was going on in Ireland, and yet the other day hon. Gentlemen opposite voted down a Motion declaring that the administration of the Coercion Act was calculated to lessen the respect of the Irish people for the administration of the law. Why, the Irish people would be worse than slaves if they did not hate and detest the law which was administered by such men and in such a fashion. In the Latchford case the right hon. Gentleman the Chief Secretary began his statement by saying there was no reason why Mr. Cecil Roche should not try the case, and he said that Mr. Roche saw no reason whatever why he was not in a state of mind which enabled him to try the case impartially. Mr. Roche followed up the statement of the right hon. Gentleman by stating from the Bench that it filled him with the deepest regret that it should be his duty—a duty which he need not have undertaken if he did not like—to try and decide upon a case in which a brother magistrate was involved. As had been pointed out, he had ample opportuuity of showing his sincerity in expressing regret. He could, when asked, have increased the sentence so as to admit of an appeal. He refused to do this. The conclusion was unavoidable that Mr. Roche was more rejoiced than sorry at the opportunity given to him by the right hon. Gentleman to wreak vengeance upon a political and personal opponent.

Mr. SHAW LEFEVRE (Bradford, Central) said, he was sure that everyone who had listened to the debate must be of opinion it raised very important and difficult questions, questions which had been very worthy of discussion, and which required and deserved some further consideration at the hands of the Government. He understood the right hon. Gentleman the Chief Secretary for Ireland to deny positively there had been a dispute between Mr. Latchford and Mr. Roche. When his right hon. Friend the Member for Newcastle - upon - Tyne (Mr. John Morley) said he had reason to believe that there was a dispute between Mr. Latchford and Mr. Roche, that there had been a meeting at Tralee, in the course of which Mr. Latchford had commented very severely upon the conduct of Mr. Roche, the right hon. Gentleman the Chief Secretary replied that was new to him. He (Mr. Shaw Lefevre) hoped the right hon. Gentleman would make inquiries on the subject, because the statement of the right hon. Gentleman the Member for Newcastle was one which could be easily verified or otherwise. It had been stated by the hon. and learned Member for West Kerry (Mr. Edward Harrington) that not only was it the fact that there had been a meeting of the Chamber of Commerce in Tralee, at which Mr. Roche's conduct had been condemned, and at which Mr. Latchford severely commented on the action of Mr. Roche, but that there was also, in addition, a Petition forwarded to the Lord Chancellor, praying for the removal of Mr. Roche. That statement could be easily verified, if true. If it was a fact, it certainly threw a great deal of light on the whole transaction. The right hon. Gentleman the Chief Secretary magnified the affair at Tralee by treating it as a serious case of riot. Let them assume that the right hon. Gentleman's view was the right one; there was, then, all the more reason why the case ought to have been sent to a jury, and not tried by Mr. Roche, sitting with another Resident Magistrate. What did Mr. Roche do in the case? Not only did he try the case, instead of allowing it to be sent to a jury, but he refused when requested to enlarge the sentence to more than a month in order that Mr. Latchford might be able to appeal, and he also refused to state a case to the Superior Court. He never heard of a more monstrous case, or one more deserving of the serious attention of the Committee. While he was on his legs, he desired to bring before the Committee some other cases of criminal prosecution in Ireland. One case, in particular, he desired to mention, for the purpose of showing the arbitrary caprice and the oppressive uncertainly with which prosecutions were made by the Government under the Coercion Act. He believed that he should be able to show that very serious cases had occurred of this nature, in which persons had been prosecuted with great caprice, and under which, it appeared to him, the Local Authorities had now practically the power to send almost

anybody they thought fit to prison. He would give certain illustrations of what he meant. He would, for many reasons, have preferred postponing his remarks until the Autumn Session; but his duty compelled him to take the earliest opportunity of bringing some of the cases under the notice of Parliament. The first case to which he referred arose out of the midnight meeting on the 16th of October last year, at Woodford. He alluded to the case in a speech in the debate on the Address; but the right hon. Gentleman the Chief Secretary made no reply, and did not attempt to deny his facts. He endeavoured to bring it before the House on the Supply Vote for the salaries of the Resident Magistrates; but the Chairman stopped him on that occasion, and this was the first time he had had an opportunity of raising a direct issue about it. The midnight meeting was held at Woodford on October 16 last, the anniversary of the adoption of the Plan of Campaign. It was presided over by the parish priest, Father Coen, and it was addressed by several Irish and English Members of Parliament and other persons. It was addressed by the hon. Member for North-East Cork (Mr. W. O'Brien), by the hon. Member for that Division of the County of Galway in which Woodford was situated (Mr. Sheehy), by the hon. Member for East Finsbury (Mr. J. Rowlands), by several delegates from English Radical Associations, and by Mr. Wilfrid Blunt. The meeting was held in the principal street of Woodford, at midnight. All Woodford was there, for there were between 1,500 and 2,000 persons present. There were seven or eight policemen present; but that force was obviously inadequate to disperse or prevent a meeting. No disturbance took place, the meeting went off quietly, and there were no evil results. The meeting had been proclaimed by the Government, and the reason for its being held at midnight was undoubtedly because it had been proclaimed by the Government. Father Coen, who, as he had said, presided at the meeting, wiped his shoe with the Queen's Proclamation, and the hon. Member for West Cork burned the Proclamation during his speech. Now, no notice whatever was taken of the meeting until seven weeks afterwards. At the end of seven weeks, orders were apparently sent down from Dublin to prosecute several persons who were present. One would suppose the Government would prosecute the people who were mainly concerned or who took an active part in the meeting. But not a bit of that. No notice whatever was taken of any of the people who spoke or took a principal part in the demonstration. No notice was taken of Father Coen, who presided, and who wiped his shoe with the Queen's Proclamation; no notice was taken of the hon. Member for West Cork, who made a speech of some strong character, who, no doubt, enlarged upon the merits of the Plan of Campaign, and during which he burned the Queen's Proclamation. No notice was taken of the hon. Member for East Finsbury, or of any of the delegates from different parts of England, or of any of the other Irish Members who were present; but 12 men were prosecuted, not one of whom took an active part in the gathering. Of the 12 men, 11 were only present in the street. The only one out of the 12 who took an active part in the meeting was Mr. John Roche, and the only active part he took in the meeting was to move Father Coen into the chair without saying a single word. Having done that, John Roche went into the street—the meeting was addressed from the window of a house—and busied himself there, protecting the police from the violence of the people. He did so with such effect that no violence whatever took place against the police, and the next day Mr. Roche was specially thanked in public by the Chief Inspector of Police for the part he had taken. Yet, seven weeks afterwards, this very man was prosecuted by the police, and, on the evidence of the very Inspector of Police who had thanked him for protecting the police, was sent to prison for a month with hard labour. Now, what he wanted to know was, on what principle were these men selected for prosecution? Why were these men selected for prosecution, while those who took a principal part in the meeting were allowed to go free? Why was not the chairman of the meeting prosecuted? He imagined it would be said that the 12 men were selected because they were known to be leaders amongst the tenants, and were engaged in combination; that they were selected for prosecution be-

cause it was thought to be to the interest of the landlords that these men should be prosecuted. Mr. John Roche was a secretary of the Tenants' Defence Association, and no doubt he was selected on that account for prosecution. He (Mr. Shaw Lefevre) was at the trial of two of the men some days later than that on which the other 10 were tried. There was no evidence whatever against them, except that of being merely present at the meeting. One of the two men had joined with Mr. Roche in protecting the police, and there was evidence to that effect. These two men were sent to prison, one for a month and the other for a fortnight with hard labour, merely for being present at the meeting. There was another point which ought to be mentioned. The 10 men were, the day before their trial took place, deprived of their counsel, the hon. and learned Member for the Harbour Division of Dublin (Mr. T. C. Harrington). After that, the hon. and learned Gentleman was arrested and carried over to Tralee on the bogus charge with having been connected with *The Tralee Sentinel,* which had published the reports of some of the proceedings of the National League in that district, and for which his brother, who was the editor of the paper, had been actually tried and sentenced to a month's imprisonment. The hon. and learned Member for the Harbour Division of Dublin had for some three or four years taken an active part in the newspaper. He was carried off to Tralee, where he was tried by the Resident Magistrates and convicted. But the magistrates stated a case for the Superior Courts, which case had never been argued out by the Crown; therefore it appeared that it was from the very first a bogus case. But the 10 men of whom he spoke were deprived of their counsel in this way. They asked that the case might be adjourned for two or three days to enable them to supply themselves with counsel; but although seven weeks had elapsed since the commission of the alleged offences, and although, consequently, it could not be said that there was any immediate hurry, or any reason that two or three more days' interval should not be allowed to elapse, the application was refused, and they were tried and convicted. These men, and subsequently two others, were sent to prison for a month each with hard labour for simply attending this meeting. They asked that the sentence might be enlarged so as to enable them to appeal; but this was refused, and they were sent to prison. He must ask the Government to give en explanation as to the grounds upon which, and the reason for which, these 12 men out of the 2,000 present, probably every one of whom was known to the police, had been selected for prosecution. Why were they selected in preference to others who had taken an active and important part in the proceedings of which he spoke, and on what principle were such prosecutions instituted? Any jury in the United Kingdom would have refused to convict these men, who were merely present, when all the leading men who made the speeches, which alone constituted the meeting illegal, were not brought before the Court. There was another case of a somewhat similar character, which occurred in the same district a few weeks after, illustrating this capricious method of selecting persons for prosecution. Eventually some of the men to whom he had referred came out of prison. One of them was a man named Egan, who had been released on the 31st of January. This man had been in prison three times under the Coercion Act, and on coming out of prison this time, his neighbours and friends, in a village near Woodford, gave him an impromptu reception or welcome. About 200 of them were present—all the people of the village, in fact; and they lit a bonfire, and one speech was made. Two or three policemen were present, and Mr. John Roche made a short speech; but it was not contended that anything he said on that occasion made the meeting an illegal one. No evidence was given at the trial that he said anything that made the meeting an illegal one. But at that meeting a single stone was thrown by an unknown person in the crowd at the police. The police were not hurt at all. Mr. Roche, who presided at the meeting, immediately protested against the act, and begged of the people to keep the peace. He did his best to prevent further violence, and with such success that no further violence took place. And yet for this most harmless meeting 11 men were prosecuted, and nine were sent to prison for one month with hard labour, and two were sent to prison for three months—namely, Mr. Roche and another person

who was present. He again desired to ask the right hon. Gentleman the Chief Secretary on what principle these men were selected for prosecution on this occasion, when all the village people were present, and they were all known to the police? Now, he wished to mention a circumstance which occurred at the meeting in question—and he thought the House would be somewhat surprised to hear it—to show the uncertain and capricious way in which these prosecutions were instituted. Two men, named Reilly and Bolan, drove up to that meeting in a trap. Neither of them got off the trap, and neither of them took any part whatever in the meeting. They did not even cheer or groan. They sat side by side on the one seat. And yet one of these men—Bolan—was prosecuted and sent to prison for three months, and the other was allowed to go free. Bolan, Roche, and Reilly were the only persons from Woodford who attended the meeting. They were all leading shopkeepers. There was no evidence given that Bolan took any part in the meeting; he did not cheer or groan, yet he was prosecuted and sent to prison for three months. He (Mr. Shaw Lefevre) desired to ask Her Majesty's Government upon what principle the selection was made? As he had pointed out, the local opinion was that those persons were selected not because they attended meetings, but simply because they were obnoxious to the landlords of the district, being engaged in some form of combination in the interests of the tenants, and the opportunity was taken of meetings of this kind to send them to prison when it was thought convenient to do so. These meetings were treated as illegal by the Government for the purpose of sending men of this kind, leaders among the tenants, to prison. The real object was to send to prison men of the kind to whom he referred for their action in connection with combinations, and not because they attended illegal meetings. Practically, there was no difference between the action of the authorities under this Act and that under the Act of 1882, which enabled the Government to put any man in prison whom it thought expedient. If time permitted, he could quote many cases of a similar kind to those he had given where selections of this sort had been made; but he would now go to another class of cases—namely, those known as Boycotting cases, where the same capriciousness of prosecution had been exhibited, and where these prosecutions were instituted for the same reasons he had already mentioned. The practice was for the police to go with the person supposed to be Boycotted to various tradespeople, selecting any tradesmen they thought fit, and to go into the shop of each tradesman asking him to supply goods to this particular person, and, in the event of his declining to do so, immediately instituting a prosecution against him for conspiring to Boycott. This method enabled the police to select almost any man they liked for prosecution, and he would illustrate this by one or two cases. There was a prosecution of three men in Kanturk, on the 31st December last, for refusing to supply a local landlord, named Leader, with certain goods, and they were sent to prison for six weeks. Mr. Leader, it seemed, went round the small town of Kanturk with a policeman, and went into the shops of these three men asking for goods. It appeared from the facts that came out at the trial—in fact Mr. Leader himself swore—that he had no difficulty whatever in obtaining what he wanted elsewhere; but it appeared that he had been anxious to prosecute and, presumably, to send to prison some of the leading shopkeepers in the town, because they were members of the National League whom it was thought expedient to imprison. The circumstances he (Mr. Shaw Lefevre) was describing were reported in *The Cork Examiner*. At the trial, Mr. Sullivan, the counsel for the defendants, asked Mr. Leader this question—

"I put it to you, on your oath, why did you go to this man, whose doors you never darkened before?"

Mr. Leader said—

"I knew they were the most hostile people in the town, and that is the reason I went there."

He was then asked—

"Did you expect you would be supplied?—A. I was sure I would not be supplied.

Q. Knowing you would not be supplied, why did you go if it was not for the purpose of getting up a prosecution against the man?"

After considerable hesitation, the witness said—

"I do not deny that I wanted to get up a prosecution.

Q. Did you communicate to any person your intention of going there that day?"

The witness paused and did not reply. The question was repeated, and the answer was—

"I did.

Q. Knowing that you would be refused?—A. Yes."

He (Mr. Shaw Lefevre) desired to call the attention of the House to this case. Here was this landlord, Mr. Leader, who had no difficulty in being supplied elsewhere in the town, and yet he, with the aid of the police, selected certain people for prosecution, and apparently selected them because they were members of the National League. Here was another case, which was tried at Fermoy on the 19th of February. A man named John Moloney, was charged with conspiring to induce shopkeepers not to deal with the police. The evidence showed that two policemen went into Moloney's shop, and that one of them asked Moloney to sell a pair of boots to the other man, and that Moloney refused to do so. It did not appear that the boots were wanted for that man or anyone else, and the two policemen went there merely to ensnare Moloney. They had no difficulty in getting the boots elsewhere, and merely selected this man for the purpose of prosecuting him. In the course of the cross-examination the following facts were elicited:—

"Cross-examined: Who directed you to go to the shop?—A. District Inspector Jones of Cork.

Q. Who provided you with the £1 for the boots?—A. The District Inspector.

Q. Was that the sum of £1 that did double duty in two shops?—A. Yes.

Q. Why did he tell you to do this?—A. He told me to get a pair of boots in the house.

Q. Were they for himself?—A. No.

Q. Any pair of boots you put your eyes on you were to get?—A. Yes.

Q. And you did not care a pin who they were for?—A. No.

Q. Did you go by direction of your officer to entrap and ensnare this respectable man?—A. Certainly, I went by direction.

Q. Was it for the purpose of a prosecution that you went into the place?—A. I did not know at the time what it was for.

Q. Did your officer tell you to take any officer with you?—A. He did.

Q. On your oath, did you know what the object was you went in for?—A. Not at the time.

Q. Do you know it now?—A. Yes, certainly."

It was obvious, from this evidence, that the man was sent to the shop simply for the purpose of cooking up a prosecution. There was not the smallest evidence that these boots were wanted by anybody, and the man was simply sent to the shop for the purpose of ensnaring the shopkeeper. This was another case showing the extraordinary caprice and selection made in the matter of these prosecutions. They were simply samples of what was going on in many parts of Ireland at this moment. Prosecutions were being brought in batches of persons selected in this way, for the purpose of suiting the convenience, or subserving the vengeance probably, of local individuals, or because it suited the police or the authorities that people should be prosecuted for some other reason than would appear on the face of the charge. If time allowed, he could show that the same policy existed in connection with other cases—with reference to the making of speeches, for instance. He would, however, merely mention one case of a prosecution in consequence of a speech in order to show that this particular form of selection was adopted in connection with those cases. The case was that of the hon. Member for East Tipperary (Mr. Condon). This Gentleman was prosecuted for attending a meeting which was held at Ennis on the 18th of April of this year, a meeting which was attended by the hon. and learned Member for North Longford (Mr. T. M. Healy) and other persons, among them being a Mr. Byles, the editor of *The Bradford Observer*. In order to prove that the meeting was an illegal one, those who conducted the prosecution brought in evidence the speeches of the hon. and learned Member for North Longford and of Mr. Byles, both of whom made speeches advocating the Plan of Campaign. The hon. Member for East Tipperary made a speech at the meeting in which he said nothing about the Plan of Campaign, and which was not alluded to at the trial, and yet he was prosecuted; whilst the hon. and learned Member for North Longford and Mr. Byles were allowed to go free, although, to prove that the meeting was illegal, they had given evidence of the speeches of these two gentlemen in advocacy of the Plan of Campaign. Therefore, on the strength of two speeches made by other gentlemen present at the meeting, but who were not prosecuted, and not in consequence of anything he himself had

said, the hon. Member for East Tipperary was prosecuted for attending an illegal meeting and sent to prison. He (Mr. Shaw Lefevre) could only say that the cases he had brought before the House showed so much caprice in the selection of the persons for prosecution under the Crimes Act that it deserved the most serious attention of the House. The right hon. Gentleman the Chief Secretary the other day told them that all the serious cases of attending illegal meetings and making speeches, when it was proposed that prosecutions should be undertaken, came under the notice of the hon. and learned Attorney General and were approved of by him in the first instance, and he (Mr. Shaw Lefevre) presumed that the most important cases of all came before the right hon. Gentleman the Chief Secretary himself. He felt, therefore, that he was justified in calling in question the conduct of the hon. and learned Attorney General in these cases, and of asking the right hon. Gentleman the Chief Secretary to give an explanation of the facts he had brought before the attention of the Committee. He thought they were entitled to some explanation of the principle on which persons were selected to be prosecuted, while others, apparently more guilty, were left untouched. In conclusion, he could only say that the facts he had brought under the attention of the Committee, and what he had himself witnessed during the visits he had paid to Ireland in the course of the last few months, convinced him that that was taking place which they always thought and had predicted would take place—namely, that the Coercion Act was being used for the purpose not of putting down crime, as was promised, but for the purpose of assisting the landlords to collect their rents, and, as he had already said, for the purpose apparently of making a selection amongst persons for prosecution.

MR. A. J. BALFOUR said, the right hon. Gentleman had concluded his speech with a "tag" which did frequent service for him and his Friends—namely, the prophecy they had originally put forward that the Crimes Act would not be used for the purpose of repressing crime, but for the purpose of collecting the rents of the landlords. That allegation was in itself a wholly absurd one. He did not call attention to it for the purpose of seriously arguing against the contention, but merely to point out that the right hon. Gentleman in the course of his speech had not said a single word which went in the direction of proving that statement. The right hon. Gentleman had begun his observations by continuing the attack upon Mr. Roche; and he (Mr. A. J. Balfour) did not propose to get into the matter again. He could only say that the evidence against Mr. Roche's statement made both in public and private that neither he nor his colleague had ever at any time had any difference with Mr. Latchford appeared to have been of the most flimsy description. The original allegation was that Mr. Roche brought a complaint against Mr. Latchford. That might have been evidence if it had been true, but it was false.

MR. SHAW LEFEVRE asked whether it was false that there was a Petition to the Lord Chancellor for the removal of Mr. Roche?

MR. A. J. BALFOUR said, that the right hon. Gentleman was somewhat confused in the matter. He (Mr. A. J. Balfour) had said that the original allegation was that Mr. Roche had brought a complaint against Mr. Latchford, and that if that had been true it would have been evidence that Mr. Roche had some animus against Mr. Latchford; but the story that Mr. Latchford at some public meeting was one of a large number of persons who signed a Petition against Mr. Roche was no proof whatever that Mr. Roche had any difference with Mr. Latchford.

MR. EDWARD HARRINGTON said, that at the meeting at the Tralee Harbour Board at which Mr. M'Cowan presided, Mr. Latchford moved a resolution condemning Mr. Roche for his conduct, and Mr. M'Cowan refused to receive it, so that Mr. Roche practically tried the case between his friend Mr. M'Cowan and his opponent Mr. Latchford.

MR. A. J. BALFOUR said, he did not admit that that was any proof at all. If they were to regard, as proof of approval or disapproval of their action, speeches which were made upon them, he, for one, would have a very bad time indeed. Well, he passed from that subject—after all, it was a very small part of the right hon. Gentleman's speech—and he now came to the accusa-

tion which the right hon. Gentleman made of caprice with which these selections were made by the authorities for prosecutions in Ireland. In connection with this point the right hon. Gentleman had given them some account of the Woodford meeting, from which he said that no evil result had flowed. The right hon. Gentleman had appeared to speak with approval of this meeting. He was a Privy Councillor; he had been a Minister of the Crown——

MR. SHAW LEFEVRE: I never said I approved of the meeting.

MR. A. J. BALFOUR said, his statement was that the right hon. Gentleman seemed to approve of it. The right hon. Gentleman had been a Minister of the Crown; and he (Mr. A. J. Balfour) did not in the least doubt that he expected to be a Minister of the Crown again—and this was the right hon. Gentleman who related in all dramatic detail how one gentleman trampled on the Queen's Proclamation——

An hon. MEMBER: It was your Proclamation.

MR. A. J. BALFOUR (continuing) said, this was the right hon. Gentleman who related how another person wiped his boots with the Queen's Proclamation. The right hon. Gentleman had said that no evil results had followed from the meeting; but that statement he (Mr. A. J. Balfour) absolutely denied. That meeting was at once followed by violent resistance on the part of the tenants at some of the evictions which followed—it was the immediate cause, the provocative cause of the resistance that was immediately offered to the legitimate process of the law. The right hon. Gentleman was very very angry because they had not prosecuted certain persons connected with the meeting. It was really very difficult to satisfy hon. Gentlemen opposite. He (Mr. A. J. Balfour) did what he could; but he was never fortunate enough to succeed in pleasing hon. Members. He was sometimes complained of because he prosecuted too many people; but now he was condemned because he did not prosecute a sufficient number. [*Cries of* "No, no!"] Whatever he did was complained of. [*Cries of* "No, no!"] Well, was it not the fact that the right hon. Gentleman had complained that he had not prosecuted enough people?

MR. SHAW LEFEVRE: I never said anything of the kind. I said if you are to prosecute people who take part in these meetings, you should, at any rate, confine such prosecutions to those who had taken an active part in the meetings. I said you should not prosecute people who had merely been present in the crowd, and had not done anything beyond that.

MR. A. J. BALFOUR said, that the right hon. Gentleman had, in his speech, especially selected for animadversion the case of the hon. Member for North-East Cork (Mr. W. O'Brien), and of Father Coen. Father Coen, he believed, was in the chair at this meeting, and was the person who wiped his boots on the Proclamation; and he believed that the hon. Member for North-East Cork had made a most violent speech, after which he had burned the Proclamation. No doubt, these two persons were the most guilty of all the persons at the meeting. Certain persons from England were there; but he was willing to believe that they were merely the dupes of the local agitators. Those persons were certainly not leaders; but were merely brought in to add a certain amount of respectability to transactions which in themselves were by no means respectable. With regard to Father Coen, he would say that in that case it was possible that he showed rather an undue reluctance to prosecute a priest. No priest up to that time had been prosecuted under the Crimes Act. He had been extremely anxious, if he could, to administer the Crimes Act without prosecuting priests; and at the time of which he was speaking he had succeeded in avoiding a course which he was ultimately compelled to adopt. He had deferred prosecuting priests as long as possible; but it was not long after the occurrence of the incident in question that he had felt himself obliged to do so. That, he admitted, was the reason why Father Coen was not prosecuted on this occasion; but if Father Coen were to consider it his duty to act in a similar way again, he (Mr. A. J. Balfour) probably should consider it his duty to proceed against him. The case of the hon. Gentleman the Member for North-East Cork had been different. That hon. Gentleman had already been condemned to three months' imprisonment; he had appealed, and while the appeal

was pending he occupied the time between the original trial and the hearing of the appeal in the manner familiar to Irish patriots, by repeating his offence against the law with all the energy in his power. As the appeal against the three months' imprisonment was coming on in a few days, he (Mr. A. J. Balfour) was extremely unwilling to give a shadow of appearance of vindictive action against Mr. W. O'Brien, and on that account—and on that account alone—he had abstained from prosecuting him. The right hon. Gentleman (Mr. Shaw Lefevre) might think that a discreditable motive; but, at all events, it was the real motive of the Government, and this reply was one which, on sober reflection, might satisfy the right hon. Gentleman that the Government were not altogether wrong. At any rate, if the right hon. Gentleman was not satisfied with that statement, let him get up and say so after he (Mr. A. J. Balfour) had done. The right hon. Gentleman had been indignant with Mr. Roche and other persons being prosecuted, although they had not taken any active part in the meeting. He had said that these persons were prosecuted because they were leaders in the movement amongst the tenantry in the district, and for no other reason. To charge a motive such as that upon the Government was a monstrous calumny.

MR. T. P. O'CONNOR: Mr. Courtney, I rise to Order. The right hon. Gentleman the Chancellor of the Exchequer, a few nights ago, called for your intervention when a right hon. Gentleman opposite accused him of adopting the lauguage of calumny. You, Sir, ruled the right hon. Gentleman out of Order in that statement. The right hon. Gentleman the Chief Secretary for Ireland has now accused the right hon. Gentleman the Member for Central Bradford (Mr. Shaw Lefevre) with uttering a monstrous calumny in this House, and I would ask you if, in your opinion, he is in Order?

THE CHAIRMAN: On the last occasion I said, when a similar phrase had been used, that it was language that came under the censure of the Chair.

MR. A. J. BALFOUR said, that under the circumstances he at once withdrew the words. He would say that the right hon. Gentleman had made an amazing statement, when he said that the Government prosecuted those persons at the wish of the local landlords.

MR. SHAW LEFEVRE said, he thought he had said that it was the universal belief in the district that these prosecutions had taken place because the persons prosecuted had been opposed to the interests of the landlords.

MR. A. J. BALFOUR said, he was willing to accept that version of the case, and to regard the right hon. Gentleman as one of the channels through which these aspersions upon the Government were given to the public. The right hon. Gentleman declared it to be a monstrous thing that these persons should have been chosen for prosecution, seeing that they were the friends of the tenantry. If there was ground for believing that these persons were principally responsible in the neighbourhood for the calling together of an illegal meeting, he (Mr. A. J. Balfour) submitted that the action of the Executive was amply justified, and the position that the right hon. Gentleman said these persons held in the neighbourhood was a sufficient indication that the presumption on the part of the Government was not altogether ill-founded. So much for the midnight meeting. The right hon. Gentleman had alluded to another meeting that occurred in the same district a few weeks later. He confessed he was not able to charge his memory with the details of that matter. If the right hon. Gentleman had given Notice that he desired to call attention to it he would have refreshed his memory; but he had not done so, and the result was that he was not able to give the right hon. Gentleman the information he desired.

MR. SHAW LEFEVRE said, he did give the right hon. Gentleman Notice.

MR. A. J. BALFOUR said, the right hon. Gentleman was kind enough to send him a note intimating that he was about to call attention to the arbitrary character of the prosecutions undertaken by the Government; but he (Mr. A. J. Balfour) did not understand that the right hon. Gentleman was about to mention this particular meeting.

MR. SHAW LEFEVRE said, the right hon. Gentleman was mistaken. He stated in his communication that he would put a Question with reference to these meetings he had referred to.

MR. A. J. BALFOUR said, he thought the right hon. Gentleman had meant the Woodford meeting.

MR. SHAW LEFEVRE said, he meant both these meetings.

MR. A. J. BALFOUR said, the right hon. Gentleman had made some very severe criticisms on the way in which evidence had been got up in cases of Boycotting. He (Mr. A. J. Balfour) did not propose to deal at length with the cases the right hon. Gentleman had brought forward. If it was necessary that they should be gone into, his hon. and learned Friend near him the Solicitor General for Ireland (Mr. Madden) would be able to deal with them in detail; but he might say, speaking generally, that the right hon. Gentleman appeared to confound two different things. The right hon. Gentleman said—"Here is Mr. Leader, who goes into a shop where he had never dealt before, and asks for goods which he knows will not be supplied to him, simply in order to get up a case." Now, it was quite true that if a solitary offence of that kind had occurred—if a single individual was condemned because he refused to deal with a customer who had never been in the habit of making purchases at his shop and that the customer had come for something which he did not want, it might have been fairly said that there had been a miscarriage of justice. But this was not a case of that kind. Everyone knew the Leader case; everyone knew that Mr. Leader and those who worked for him had been made the victims of a shocking Boycotting conspiracy. The men convicted of conspiracy in the case were convicted justly, and the amount of punishment they had received was not in excess of the crimes committed. There was no question that those who had been convicted had been engaged in the conspiracy of Boycotting, and in one of the most disgraceful cases which had occurred in Ireland during the last few years.

MR. SHAW LEFEVRE said, he had stated that the evidence showed that Mr. Leader had said that he had no difficulty in being supplied by other shopkeepers in the district.

MR. A. J. BALFOUR said, that the general observations he had made in the case of Mr. Leader applied to all the cases which the right hon. Gentleman had brought forward, including that in which a constable went into a shop to purchase a pair of boots. If there was a real Boycotting conspiracy carried out with all the incidents of intimidation and outrage with which a Boycotting conspiracy was accompanied — if that were true, then no substantial accusations could be made against the administration of justice. If it were not true, then unquestionably there had been a miscarriage of justice which should be inquired into by the House.

MR. SHAW LEFEVRE begged to say that there was no evidence of conspiracy before the magistrates. The only evidence was that which he quoted. No evidence of any conspiracy to Boycott was given.

MR. A. J. BALFOUR said, he entirely traversed the statement of the right hon. Gentleman. If the right hon. Gentleman wished to argue the matter with more detail, he (Mr. A. J. Balfour) would give place to the hon. and learned Solicitor General for Ireland, who would be able to deal with the legal aspect of the case to the full satisfaction of the Committee.

MR. CALDWELL (Glasgow, St. Rollox) said, there was one point in the case of Mr. Latchford that he should like to bring before the House. As he understood the matter, Mr. Latchford was tried not in respect of any offence for which the Crimes Act in Ireland was passed, but because there had been some dispute between two parties giving rise to a species of riot. He was sorry he had not heard the whole of the statement of the right hon. Gentleman the Chief Secretary on the question; but if the whole dispute was in connection with an ordinary riot the intervention of the summary procedure under the Crimes Act was altogether unwarranted. There could be no doubt whatever that when the Crimes Act was passed it was intended to meet a certain condition of things such as Boycotting and intimidation, and it might be that under the strict letter of the law that in any proclaimed district where there was riot or unlawful assembly the authorities were entitled to deal with the case summarily under the provisions of the Act. But it must be borne in mind that the Government were bound to administer the law in a reasonable way. It must be remembered that they had two processes by which to deal with riots—that with

which they dealt with them on ordinary territory, and that with which they dealt with them in proclaimed districts. Now, when they spoke of riots in a proclaimed district they spoke of a place where riots were the cause of the proclamation of the district. Under the existing summary procedure of the Act two things must happen. There must not only be a riot, but it must be a riot in a proclaimed district, and he maintained that the Government had no right to use the summary jurisdiction clause of the Crimes Act to prosecute for riot in a district which was not proclaimed and where the riot had nothing to do with any of the causes which led to the proclamation of a district. To prosecute persons under such circumstances was, he must say, a most unwarrantable exercise of the powers of the Act. He questioned very much whether if this case were taken to a higher Court it would be held that the Government, under the strict letter of the law, had the right to act as they had done. But, however that might be, even if the Judges refused to state a case involving the question as to whether or not the action of the Government was outside the scope of the Act—apart altogether from the legal bearing of the case—he held that the Executive of the country were bound to carry out such an Act as this with something of justice and reason. They were not entitled when they had two methods of carrying out a prosecution—namely, an ordinary and an extraordinary method, to adopt the latter when the occasion was one capable of being dealt with by the former.

MR. MAC NEILL (Donegal, S.) said, the hon. Gentleman who had just sat down had proved very clearly that if the Members of the House at the time of the passing of the Crimes Act had known how it was going to be administered for a single week a large number of the majority that carried it would have rejected it with scorn and indignation. The Act had been passed in one spirit and administered in another. The right hon. Gentleman the Chief Secretary was extremely indignant with the right hon. Gentleman the Member for Central Bradford, for stating, and correctly stating, that the Coercion Act was put in force and was intended to be put in force not against crime, but against combination. When the right hon. Gentleman the Member for Central Bradford made that observation he was simply speaking on the authority of Lord Salisbury, who, on April 22, 1887, had said—"We have offered a measure"—that was to say the Crimes Act—"not without hesitation, in order to put a stop to certain combinations." Now he (Mr. Mac Neill) had described to the best of his ability, at home and abroad, the administration of the Irish Government under the Coercion Act, and he was not the man to say anything far away from the right hon. Gentleman the Chief Secretary which he would not state in his presence. When 7,000 miles away from that House, at Port Elizabeth, he had said that the position of the right hon. Gentleman under the Coercion Act was this: that whereas the right hon. Gentleman and the other Members of the Government combined within themselves several descriptions of authority, for which they as Members of the Executive were responsible to the people of England, the right hon. Gentleman was in no way responsible to the Irish people. He was able to wield this Coercion Act over a nation where he was hardly able to get a vote, and where he certainly would not be able to procure a seat even in the University of Dublin. What right had the right hon. Gentleman to administer this Coercion Act? He had never set foot in Ireland before he had received the mandate of Lord Salisbury to go there and was armed with this Coercion Act. He did not say that the right hon. Gentleman was unconscientious, but he maintained this—that it would be beyond the wit and power of man under such circumstances going to a country entirely ignorant of the disposition and character of its people—it would be utterly beyond the ability, wit, and penetration of such a person to prevent himself being earwigged by those officials who were interested in deceiving him. The acts which were condemned were not the right hon. Gentleman's acts at all, but those of the officials of Dublin Castle. Now, the right hon. Gentleman's salary or part of it was covered by this vote, and he (Mr. Mac Neill) confessed that it struck him as rather a strange thing that a salary of over £5,000 per annum should be voted here for a right hon. Gentleman who certainly, even according to his own confession, had not thoroughly

earned that salary. Had they forgotten the Parliamentary Under Secretary Bill? What had become of it? The Parliamentary Under Secretary was to assist the right hon. Gentleman—or, rather, to do work which the right hon. Gentleman did not do. In looking at how matters were at present he must express a hope that the subject would be dealt with temperately, for the case was too strong for anything like rash or angry speaking. He would bring temperately before the House those dealings of the right hon. Gentleman, as head of the Executive Government in Ireland, which, he thought, were seriously open to condemnation. They had heard a good deal about Mr. Cecil Roche's conduct, but into that he would not enter; but he would say that it would be more proper for the right hon. Gentleman the Chief Secretary, having regard to the tenure of office of the Resident Magistrates, who were his creatures and were dismissable at a moment's notice—it would be more proper for him, in administering the Coercion Act through those gentlemen, not to hold conversation with them or bring them up to Dublin for the purpose of consulting with them. He had called attention to the fact that these gentlemen, who were practically the Judges under the Coercion Act, were consulted by the right hon. Gentleman and were instructed by him in regard to the method of carrying out the Act, and what answer had he received? Why, he had been met by a deliberate and studied refusal to tell him whether the communications which had come to his knowledge on the subject were correct or not.

MR. A. J. BALFOUR said, that when questioned with regard to communications with the magistrates which in the exercise of his duty he thought it necessary to make for the preservation of law and order in Ireland he had always refused to make any statement, but in the present instance, if it would be any satisfaction to the hon. Member, he could assure him that almost all the reports which had appeared in the newspapers with regard to his holding communications with Resident Magistrates were false.

MR. MAC NEILL said, he should like to know whether this statement contained, in *The Irish Times* of the 22nd October, 1887, was incorrect—namely—

"Colonel Turner, Captain Walsh, and Mr. Cecil Roche, Resident Magistrates, who have been in attendance on the Chief Secretary during the past two days in the Castle, have returned to their districts."

These Resident Magistrates, it must be remembered, had been in attendance upon the man to whom they looked to preserve them from starvation. The right hon. Gentleman was always clever in his statements in that House. Sometimes he was extremely amusing and witty, and he (Mr. Mac Neill) always read his speeches with great interest and attention, and he had never read any of them with greater attention than one in which the right hon. Gentleman had attempted to be jocular and had made certain historical allusions to the condition of England and Ireland. Well, under the right hon. Gentleman's *régime* Ireland was in a worse condition than England was under the Stuarts. England in those days had removable Judges, and they saw the effects of that state of things in England to this day. In Ireland they had at this moment removable magistrates, and everyone was familiar with the results of the operations of those gentlemen. In England, under the Stuarts, the Judge who was removed from his office could go back to his work at the Bar and had a livelihood before him, but that was not the case with these removable Irish magistrates, seeing that some of them would only have their miserable pittance of half-pay, as military or naval officers, to exist on which kept them on the verge of starvation. They, therefore, were always prepared to decide cases which were brought before them according to the wishes or instructions of the right hon. Gentleman the Chief Secretary. The cases brought before them were not easy ones to decide, but rested on the interpretation to be placed on very complicated laws affecting conspiracy and other matters in which the rights of the public and the rights of the Crown were in conflict. The result was that, as in the time of the Stuarts, there were foul judicial murders in England, so, under the *régime* of the right hon. Gentleman in Ireland, there were certainly foul miscarriages of justice. The right hon. Gentleman, speaking of the Coercion Act at Manchester at the end of last year, had referred rather heartlessly to the diminution of crime which it was

likely to bring about owing to the fear of the plank beds which it inspired in the minds of the Nationalist Party. Well, they had had some evidence at the inquests recently held of the methods by which it was sought to bring home this terror to the minds of the people. They heard the right hon. Gentleman talking jocosely of plank beds, and they saw such men as John Mandeville dying from the effects of the treatment to which the right hon. Gentleman referred. Lord William Russell was destroyed in the time of the Stuarts, John Mandeville died in the time of the right hon. Gentleman. He did not think the Coercion Act had been wrongly described when it was spoken of as a savage Act, neither did he think the administration of that Act was wrongly described as a savage administration. The Act was placed in the hands of those who were manifestly incompetent to administer it; then they had the closeting of these Judges with the right hon. Gentleman; and, further than this, they saw special magistrates sent down from Dublin to try special cases. Why was this, and why was it that Coroners' inquests were reprobated? And then, as to the administration of justice, even so far as regarded cases which escaped the Resident Magistrates and went before juries, it had been proved conclusively that jury packing in Ireland had been reduced to a fine art. It was only a few days ago—yesterday he thought it was—that he had put a Question to the right hon. Gentleman the Home Secretary (Mr. Matthews) on the subject of jury packing. This right hon. Gentleman, he had no doubt, was to be depended upon to give a careful and honourable reply, whether he understood the matter or not. He had asked what was the power of the Crown to order jurors to stand by in this country? In reply the right hon. Gentleman had said that the power was practically unknown, and that in practice, if ever there should happen to be an objection taken by one side to a juryman, the name of that juryman was mentioned to the counsel for the other party in a friendly way, and another person was at once called in his place. But in Ireland he (Mr. Mac Neill) had no hesitation in saying that the selection of the jury was held to be the most important part of the case. It was like the shuffling of cards, but it was a game in which the Crown always had the odds in their favour as against the accused. On this matter he could quote the authority of *The Daily Express*, a Conservative organ in Dublin. The editor of this paper declared not long ago that there was no use disguising the fact that trial by jury in Ireland was, in political cases, only a make-believe. The Resident Magistrates were the right hon. Gentleman's judicial agents; and speaking of them at Birmingham—a place of some political repute at the present moment—the right hon. Gentleman, not content with the direct influence exerted upon them through Dublin Castle, had given those gentlemen some hints as to how they should act. Taking those hints, these Resident Magistrates at first determined upon being severe, and had sentenced men to three, four, and six months' imprisonment. These long terms of imprisonment entitled the prisoners to appeal, and gave them an interval, during which they went round making the same speeches for which they had been originally prosecuted—for hon. Members would understand that the people in Ireland did not consider themselves guilty of any crime in making these speeches to which the Government took exception. The right hon. Gentleman had manifestly in his utterances exercised great influence upon the magistrates, an influence like that exerted by the individual who, when he saw the boys of Trinity College lay hold of an obnoxious proctor for the purpose of administering some sort of punishment, said—"For goodness sake don't nail his ears to the pump." In response to the right hon. Gentleman's hints, one month's imprisonment was to be the rule, as not involving appeal, and then the magistrates discovered the plan of inflicting cumulative sentences. As a matter of fact, these Resident Magistrates were what might be called the right hon. Gentleman's political sensitive plants. He had only to touch them with a speech and they responded instantly. They were capable of appreciating the significance of a shrug or a smile of the right hon. Gentleman in their administration of justice. He again declared that the Coercion Act was not intended to put down crime, but that all the attempt made was to put down combination. The right hon. Gentleman would forgive him (Mr. Mac Neill) for mentioning a

matter personal to himself, in which he had been badly treated. The right hon. Gentleman the Chief Secretary would bear him out that in Ireland the Government merely consisted of himself and the Lord Lieutenant; the right hon. Gentleman himself being the prime mover. There were several Governing Boards, such as the Local Government Board and the Prisons Board, and so on, the officers of which were appointed by the right hon. Gentleman the Chief Secretary, and were subject to his dismissal. The right hon. Gentleman would admit that the Local Government Board was an important office; and the right hon. Gentleman was the head of that office. He (Mr. Mac Neill) yesterday asked the right hon. Gentleman a Question with reference to this Local Government Board, and also with reference to his (Mr. Mac Neill's) constituency. It was a case of some hardship regarding religious intolerance which had been shown by a Protestant majority in the matter of the use of a certain workhouse in Donegal, as causing detriment to the education of Catholic children. The right hon. Gentleman had put him off three or four times, and he (Mr. Mac Neill) had borne it with good humour. He had put another Question to the right hon. Gentleman yesterday with regard to the matter; and the reply he had received was that a statement on the subject could be sent to the papers, but that an answer could not be made, as it would be too long for a reply to a Question. It was inconvenient that the right hon. Gentleman should deal with Questions put to him in this way, seeing that the Question had reference to a Department of which the right hon. Gentleman was the head, and that his attitude deprived the Irish Members of an opportunity of questioning him, and trying to bring public opinion to bear upon a matter that they considered very grave. He (Mr. Mac Neill) thanked the House for its patience in listening to him, and hoped the right hon. Gentleman would believe that he had made these observations in no angry spirit. He wished hon. Gentlemen opposite would take more interest in Irish affairs, as he believed from his heart that if they did, and if they knew the real condition of things in the country, many of them would rather sacrifice their seats than vote for a continuation of the present system of government.

MR. A. J. BALFOUR said, that he did not wish to seem discourteous, and he would therefore explain what occurred in reference to the question to which the hon. Member had alluded more than once. The fact of the matter was that he had examined into the subject and into the kindred matter raised by an hon. Friend behind him, and had found that it would be impossible to compress his answer into such space that he would be entitled to ask the House to listen to it at Question time. Ministers had always been obliged to say when an answer reached the proportions of a speech that it could not be given at Question time. However, he had asked his hon. and learned Friend the Solicitor General for Ireland (Mr. Madden) to give the written answer to the hon. Gentleman, and then to send it up to the papers. The principal papers in London would not publish half or a quarter of a column about a Donegal workhouse he was aware, but probably the Irish papers would.

MR. EDWARD HARRINGTON asked whether it was not possible to increase the salary of the chaplain, so as to enable him to pay a Catholic teacher? Or there was another course. There had been various cases in Ireland where, for very frivolous reasons, ordinary Boards of Guardians had been abolished and paid Guardians had been substituted for them. If the Guardians were abolished in the present case the reason would not be a frivolous one, and he would ask whether it would be possible to adopt such a course where persistent religious intolerance was shown?

MR. A. J. BALFOUR said, that as to the first suggestion he should be very glad to consider it, if the hon. and learned Member would put a Question down on the Paper. As to the second suggestion, both he and his Predecessor had inquired into the matter, and had found that they had no power to dissolve Boards of Guardians on the ground suggested. The Irish Local Government Board had large powers for dissolving Boards of Guardians, but those powers were limited to certain grounds.

DR. KENNY (Cork, S.) asked, whether one of those grounds was not persistent refusal to obey the instructions of the Local Government Board?

MR. A. J. BALFOUR said, there were only certain matters in regard to which the Local Government Board had the right to give orders, and the subject in question was not one of these.

MR. SHEEHY (Galway, S.) said, the reply which the right hon. Gentleman the Chief Secretary for Ireland had given to the right hon. Gentleman the Member for Central Bradford (Mr. Shaw Lefevre) was, even for him, with all his powers of audacity of assertion, very weak. He had attempted to vindicate the action of the Government in the prosecution against the people of Woodford, and said that the reason why the prosecution of Father Coen did not take place at first was that at the time the Government were unwilling to prosecute the priests in Ireland. Another reason that he gave was that the hon. Member for East Cork (Mr. Lane) was at the time under sentence of three months' imprisonment, and that the Government would not enter upon another prosecution against him while his appeal was pending. But why was it that the right hon. Gentleman did not pursue that course in all cases? Was it not known that the people of Ireland had, one after another, been prosecuted, even although the first prosecutions against them had not been completed? He (Mr. Sheehy) himself had been arrested under another prosecution, before he had served his term under a previous prosecution. He was at the meeting in question, but was not prosecuted; the only persons prosecuted were the local leaders. English gentlemen who went to Ireland with the deliberate intention of being present at the meeting were not prosecuted. The Government were afraid to take that course. The real reason why the local gentlemen were attacked was because the Dublin daily papers and the London *Times*, which were in the pay of Lord Clanricarde's agent, said that if these gentlemen were swept off the path it would be easy to settle the Land Question, and so the Government stepped in and helped Lord Clanricarde, as they were still doing. It was only a week ago that the Under Secretary to the Lord-Lieutenant of Ireland paid a secret visit to see, as he (Mr. Sheehy) presumed, whether he could get some information as to whether the evictions would be resisted or not. Although he regarded the answer of the right hon. Gentleman as uncandid, he was bound to say that it gave up the entire position to the right hon. Gentleman the Member for Central Bradford. He would pass from the Woodford incident to others that had taken place later—namely, the evictions which had been carried out recently on the Vandeleur estate. He had asked some questions in that House on the subject, but he had not been able to get any candid answer from the right hon. Gentleman. His answers were those supplied to him by his own officials. He had asked the right hon. Gentleman whether the hon. Member for South Tyrone (Mr. T. W. Russell) was conveyed to the Kilrush evictions on a car driven by policemen, and his reply was that any gentleman who behaved properly would be so accommodated. But he wanted to know why these cars which the taxpayers of the country paid for were lent to individuals, and why it was that the hon. Member for South Tyrone did not pay for the cost of conveyance out of his own pocket? The hon. Member for South Tyrone had written a letter to that organ of truth, *The Times*, in which he gave a strange account of what occurred; he said that, on going to these evictions, the first thing he did was to go to Dublin Castle for a pass. The local gentlemen and the priests of the parish, whose right it was to be present as near as possible, in order to protect the poor people, were trembling before the armed display made against them; the priests were excluded, and at one time the Member for the district was hustled out of his place by Mr. Cecil Roche, while the hon. Member for South Tyrone and other pets were permitted to have intercourse with the people who were being attacked. The great grievance was that no one was allowed to stand by to protest against the action of the police and the District Inspector, and other men whose conduct manifested that they meant to have blood at the evictions. Standing in the road, beyond which he was not admitted, he saw four policemen arrange themselves, and, with their batons, draw up on each side of the door; flanking them were soldiers with fixed bayonets, so that the first thing the people who came out would receive would be a blow with a baton, or a stab with the bayonet.

While the friends of the people were excluded, the police had full scope for action. They were told over and over again that the police were only at eviction scenes for protective duty. If they confined themselves at evictions only to protective duties, it would be all very well; if they did nothing more than see that the bailiffs were not assaulted, he should not complain to the House of their conduct. But, as a matter of fact, in the cases where the people in the houses resisted, honestly as they thought, the first men who entered their homes were not the bailiffs, but the police, and the people were struck down with batons. He said that the police did not act as peace officers. If the people committed any crime it was the duty of the police to arrest them; but the first thing they did was to knock them down first and try them afterwards. But the violence of the police and the harshness of the sentence were in proportion to the poverty of the people who made resistance. Some of the poor people had no means of making resistance to the charges, and the consequence was that they were sent away without bail into Kilrush, to await trial at the following Petty Sessions, and they lived in gaol for four or five days. Several men's heads were cut open with the batons of the police, and these persons got as well from four to six months' imprisonment. He challenged any man to justify the conduct of the police on these occasions. He said it was outrageous, and any Englishmen who had witnessed these scenes with unbiassed minds came away determined that they should cease. He had shown that there was a conspiracy in Ireland against the happiness and prosperity of the people between the landlords and the Government of the country. The right hon. Gentleman showed, by the way he employed his Coercion Act in Ireland, that he deserved no confidence, or consideration, or compliment from Irish Members; and not only that, but he did not deserve any consideration for the answers which he gave in that House. He tried to deny what was patent to the world, and he did so upon answers telegraphed from Ireland. He would pass on the right hon. Gentleman his fullest compliments when he deserved them; but he thought he was incapable of deserving them.

Mr. Sheehy

Mr. J. E. ELLIS said, he wished to express his gratification at what had fallen from the hon. and gallant Gentleman the Member for the North-West Division of Sussex (Sir Walter B. Barttelot), with respect to the position in which the Committee found themselves that night. They were asked, as representing the taxpayers of the country, to vote a sum of £7,700,000 in the course of a few hours. That immense sum of money was a payment on account for the services of more than 100 Departments of the Public Services. As a Member of the House, he accepted some share of the scandal that they, as Representatives of the taxpayers, should be on the 3rd of August transacting the financial business of the country as they were. He hoped, as the hon. and gallant Baronet said, they would see in that House some better system of voting public money, and he was very glad to hear the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) say he would apply his mind to that matter. With his experience at the Treasury, he (Mr. J. E. Ellis) had no doubt that if the right hon. Gentleman could get his Cabinet in unison with him, he might be able next year to put forward some scheme which would enable the House to regain the control of the expenditure of the Public Departments, which it was in some danger of losing. He (Mr. J. E. Ellis) was not one of those who thought that legislation should be the main function of the House of Commons, because there were many things besides Acts of Parliament required in carrying out the Business of the State. It seemed to him that the control of the administration of the great spending Departments of the country should always be one of the primary and main functions of the House of Commons. Committees had been appointed earlier in the Session to consider the expenditure in connection with the Army, the Navy, and Revenue Departments. Some good had been done in consequence, and the most interesting Reports had come from the Committee presided over by the noble Lord the Member for South Paddington (Lord Randolph Churchill), which would, no doubt, bear fruit in due time. But he wished again most emphatically to express his hope that the Government

would meet the House next year with a scheme such as had been shadowed forth by the First Lord of the Treasury, for allowing them to have the Estimates at the very outset of the Session, and that each week, if possible, some portion of time at the very commencement of the Session should be devoted to them. Having said so much with respect to the Vote on Account which they were asked to pass, he would like to make a few observations on the Government of Ireland, in connection with which they were also voting a large sum of money under six or eight heads. He would not go into great detail in this matter, because they would have an opportunity of doing that when the Votes in Supply came before the House in November, when they, no doubt, would be gone into in considerable detail. He had placed on the Paper a number of Notices of Motions for the reduction of some of the Votes, and he had done that with a view especially to the Votes for the Chief Secretary to the Lord Lieutenant of Ireland, the Resident Magistrates, and the Constabulary, so as to have an opportunity of bringing before the House a number of illustrations and incidents of the manner in which these Departments were conducted. What was really the situation in Ireland? Taking it from the Government's own mouth, it was that in that country a great and severe struggle was going on between two Parties for the possession of a certain kind of property. A most signal illustration of the vitally different circumstances, as between England and Ireland in respect of this property was afforded by what fell from the right hon. Gentleman the Chancellor of the Exchequer last week. The right hon. Gentleman admitted that Imperial taxes were levied in quite a different way from the tenant farmers in Ireland from that in which they were levied in England; and he stated that this was because the Irish tenant farmers had proprietory rights in the soil which the English tenants had not. The charges which he made against the Government was that the English Government had entered into close alliance with one of the Parties to this great quarrel; that they had placed the whole power of the Executive Government at the beck and call of the landlords of Ireland, in order to enable them to collect rents which the Courts were declaring to be unjust, and confiscate property which did not belong to them. For that purpose, what he should always call an infamous Act was passed last year under circumstances which would vividly recall to the mind of hon. Members what had taken place at 1 o'clock that morning. They had heard from the hon. Gentleman who had just sat down what was being done in the name of the Executive Government by those who carried out the law in Ireland. With regard to the Justices through whom the right hon. Gentleman the Chief Secretary for Ireland performed his functions—the Removable Magistrates, he would ask the hon. and learned Solicitor General for Ireland to explain one fact with respect to Mr. Cecil Roche. Now, that person had been, as they all knew, an itinerant lecturer of the Irish Patriotic Union; he came over to England in 1880; he had no practice as a member of the Bar, when he was pitchforked into this position of Resident Magistrate. It appeared from the Return obtained by the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) that there were 1,500 cases that passed the Courts every year, and he asked how it came about that this man, out of 75 Resident Magistrates, should have tried 60 of these cases, or five or six times as many as would naturally have fallen to his share? As they all knew, these so-called Courts of Justice had reduced trials and the administration of justice to a perfect mockery. He would not comment on the manner in which evidence was got up. They had been told about that in the course of the discussion, and nothing that the Chief Secretary for Ireland had said had in any way contradicted the facts he (Mr. J. E. Ellis) laid before the House on the 15th February, or the illustrations given by the right hon. Gentleman the Member for Central Bradford (Mr. Shaw Lefevre). It turned out from the Return so tardily given, and which, after all, was presented in such a slovenly manner, at the instance of the right hon. Gentleman the Member for Newcastle-upon-Tyne, that more than 1,000 persons had been put in prison under the Coercion Act for offences that in England were little regarded, and in Ireland rightly regarded as trifling in the extreme, and on evi-

dence which in many cases was most insufficient—evidence got up in a slovenly manner, which would not be tolerated for a moment by any Bench of Magistrates in this country. It was owing to that that the hon. Member for East Mayo (Mr. Dillon) was lying in Dundalk Prison, and when he looked back to that appeal case of his at which he was present, he felt humiliated that what was called justice could be so dispensed in Ireland. He said decidedly that no Court in England would have conducted itself as the Court in Dundalk conducted itself on that occasion. There was a poor man named Moroney, lying at that moment in an Irish prison; and surely if the Government had in them any spark of compassion they would allow him to be released, because he was a man whom the medical authority had certified to be in imperfect mental health. He trusted the case of that poor man would not end like another which had that day come to his knowledge, in which a man who had been put in prison under the Act had lost his reason within a short time of his being imprisoned. Then there was the case of Mr. John Mandeville. That, he thought, the Committee would agree demanded investigation at the hands of the House. He was very glad to hear the Chief Secretary for Ireland say that he was honestly anxious that the truth of that matter should be known. He was sure all hon. Members were most anxious to hear the truth in the case of Mr. Mandeville; and the public would demand to know the truth in respect of that unfortunate occurrence. He confessed that, having perused the evidence given at the inquest, he was horror-stricken at what could take place at this time. Then there was another case to which he desired to refer. There were 10 men in gaol, as had been admitted across the floor of the House at Question time—imprisoned on what was allowed by the hon. and learned Solicitor General for Ireland to be a conviction of very doubtful legality. Surely someone might suggest to the Lord Lieutenant of Ireland the policy of advising that Her Majesty's Prerogative of Mercy should be exercised in this case; it was, he thought, better that prison doors should be thrown open, than that there should be the slightest suspicion in the minds of the Irish people that the law was in any way tampered with, or diverted from the right course, in order to get people into gaol. He was not surprised at what had been alluded to by several hon. Members—namely, the extraordinary art which had been used by the Chief Secretary for Ireland to prevent the actual knowledge of the facts reaching this country. They had from the right hon. Gentleman extraordinary and unprecedented delay in allowing information to come into the possession of the House. On the 17th of May the right hon. Gentleman made a highly argumentative speech at Battersea Park, and alluded to a Return which was not in the hands of any Member of the House for three weeks afterwards; and when he (Mr. J. E. Ellis) inquired in the Library with respect to it, he was told that the proofs were at the Irish Office for an unprecedented period. He referred to the Return of the increased sentences.

MR. A. J. BALFOUR: We were not at the time in possession of the names.

MR. J. E. ELLIS said, that the matter would come up on the Printing Vote, and he should then inquire the reason of the long delay that had taken place at the Irish Office in connection with the laying of these Returns on the Table of the House. He was also informed that constant delay took place at the Irish Office in revising Returns, and he had no doubt that that revising process was the cause of delay in supplying the Returns asked for. If the right hon. Gentleman were a Professor of Casuistry at a College, he could understand the words which he used in answering his Questions; but he should have thought that a Cabinet Minister having nothing to conceal would be a little more open in answering Questions of Members who were deeply concerned for their constituents. He believed that the appreciation of the way in which the Act had been administered in Ireland had reached the most unexpected quarters. It was a very significant fact that the hon. Member for the St. Rollox Division of Glasgow should rise and tell the Government to their face that they had no right in the case of Mr. Latchford to use the Coercion Act, and that they ought to have proceeded under the ordinary law. He believed that all the right hon. Gentleman's efforts to conceal what was going on from the public mind would be in vain. While the Government were

giving all the assistance in their power to landlords, what had been done for the tenants? He found that during the last 12 months for which they had the Return 21,983 persons had been turned out of their homes in Ireland under the auspices of the right hon. Gentleman. [Mr. A. J. BALFOUR dissented.] The right hon. Gentleman shook his head; but that did not dispose of the facts. There had also been 9,076 notices issued under Clause 7 of the Land Act of 1887, certainly affecting not less than 40,000 persons. There were a large number of persons waiting to have their rents judicially reduced. He had asked Questions on this subject once or twice, and he found that on the 1st of July, 1887, there were only 13,000 persons seeking to have judicial rents fixed, whereas en the 1st of July, 1888, the number had risen to 64,000. They were asking for that under the penalty of eviction, as the hon. Member for South Down (Mr. M'Cartan) had shown the other night. The landlords in Ireland were turning out their tenants from house and home for non-payment of rents, which would be declared to be entirely inequitable, if the case could be brought before the Court. He said that the Government were pursuing an ignoble policy by placing at the beck and call of the Clanricardes and others the whole of the force which they derived from the taxpayers of the country. On the other hand, he was glad to know that there was a feeling of sympathy growing up between the people of Ireland and the people of England which would produce its fruit at the next General Election; and when the question of constructive policy was reached, as it most assuredly would be at no distant date, he was sure this sympathy would produce its results in there being those in Ireland willing to accept a reasonable settlement, and those in England willing to admit the reasonable demands of the people of Ireland. The great feature of the Session was that there was greater solidarity between the followers of the right hon. Gentleman the Member for Mid Lothian and the followers of the hon. Member for Cork. There were more than 200 Members on those Benches above the Gangway united as one man and determined that the present state of things in Ireland should cease. The Government professed to have the people of England behind them; but the right hon. Gentleman the Secretary of State for War had declared in one of his speeches that a General Election was in the most remote future. He ventured to say that the Government knew the reason why they did not appeal to the country, and he believed that if they did they would find that the people were tired of the present miserable method of governing Ireland, and that they would pronounce most distinctly and emphatically in favour of an improvement that would bring about a real and true Union between the people of the two countries.

MR. MAHONY (Meath, N.) said, the right hon. Gentleman the Chief Secretary for Ireland shook his head when his hon. Friend who had just addressed the Committee mentioned that there were 21,983 persons turned out of house and home last year in Ireland. Would the right hon. Gentleman have the courtesy for a few minutes to listen to an Irish Member who did not very often trouble the Committee? He asked the right hon. Gentleman if he believed that there were 11,000 persons evicted?

MR. A. J. BALFOUR: When it is said that a man is turned out of house and home, it means the house he occupies and in which he is living, and in that view there had not been 21,983 persons turned out of house and home during the time mentioned.

MR. MAHONY said, 11,000 and odd persons were put back into their houses as caretakers, and the right hon. Gentleman had introduced that valuable note, calling special attention to the fact that certain persons were put back into their houses as caretakers. The right hon. Gentleman had said on a former occasion that he could only supply the number of those persons who were put back as caretakers on the day of eviction; but, doubtless, there were a number of others, though the Return gave no information whatever on this point. The men who were evicted and put back as caretakers came back with a broken title; they were liable to be evicted at any moment by an order from the Petty Sessions Court, and there was no record kept of those evictions. They were told the number of persons put back, but they were not told the number of those turned out. He invited the attention of

the Committee to a point connected with the present form of Eviction Returns, about which he had asked the right hon. Gentleman the Chief Secretary to give him a full and candid answer. That form of Eviction Returns gave the number of persons that were put back as caretakers after eviction, but the present form omitted that altogether. The right hon. Gentleman the Chief Secretary still said that he could not tell how many persons might be subsequently put back as caretakers; but he missed out altogether from the Returns the number put back on the day of eviction, and only gave the number of persons evicted. He asked the right hon. Gentleman, as he had altered the form of Returns, to, at least, make it as full as the old form. The reason given by the right hon. Gentleman, in answer to his Question relative to the difference in the form, was that the alteration of the law last Session had rendered that difference necessary. He (Mr. Mahony) denied that it rendered necessary an alteration of the form. He said it was most inconvenient, because, as the matter now stood, it was impossible to compare one Return with another. He suggested that the Returns should contain two additional columns, one column giving the number of notices served under Section 7 of the Land Act of last year, and the other column giving the number of persons subsequently turned out upon warrant or writ. While on the subject of Returns he would point out that the right hon. Gentleman gave them the number of persons who were turned out by writ or warrant, after having been taken on as caretakers under Section 7 of the Act of last year. He wanted to know if the right hon. Gentleman, in addition to giving them the number of caretakers under Section 7 who were evicted by writ or warrant, would also in future give the number of caretakers other than those caretakers under Section 7 who were evicted by writ or warrant? That was the only additional information he asked for in the new Return. He wanted to take that opportunity of calling the serious attention of the Committee to the present state of the tenants in Ireland, and the great danger there was of their condition becoming very deplorable during the coming winter, and very likely leading to a most deplorable state of things before the House met for the Autumn Session. It was for that reason that he now called attention to the question. The right hon. Gentleman was continually boasting of the success of his Coercion Act in Ireland. Whenever the right hon. Gentleman wanted to point out how successful his Act had been, he referred to the first months of the year 1887, when he first became the Chief Secretary for Ireland, and he showed that under the Coercion Act grave crime in Ireland had fallen off. He (Mr. Mahony) preferred to go back a greater distance, for one or two reasons. He took that period during which the present Government were in power, but when there was a very different sort of Gentleman holding the office of Chief Secretary to the Lord Lieutenant of Ireland; a Gentleman who seemed to have some of the softening influences of human nature in his composition, and who refused to carry out Lord Clanricarde's evictions. The House, in 1886, took the very serious step of refusing a Bill brought forward by his hon. Friend the Member for the City of Cork (Mr. Parnell) for the relief of the tenants in Ireland; a fortnight afterwards the Chief Secretary for Ireland of that day was in Ireland, hard at work, trying to compel the landlords to make reductions which they had previously been told would not be given. A great number of landlords yielded to that pressure; but a few of them did not do so. The latter were the men who had caused the Plan of Campaign to be put into operation. What was the effect of the pressure brought to bear on the landlords by the then Chief Secretary for Ireland, and the pressure brought on them by the Plan of Campaign? It was that whereas in the quarter ending September, 1886, there were 306 cases of agrarian crime in Ireland, in the quarter ending December agrarian crimes fell to a very small number—namely, 166. Now, these Returns of agrarian crime included a number of threatening letters and notices. He maintained that threatening notices were absurdities when put into a Return of crime in Ireland. Any school boy could write a threatening notice and put it into the nearest pillar-box. Take away, then, threatening notices from the number of agrarian crimes, and then they would get at the

more serious forms of crime. In the quarter ending December, 1886, there were 166 cases of agrarian crime. Take away from this number the threatening letters, and there were left 94 cases of serious crime. Now the right hon. Gentleman the Chief Setretary for Ireland, with all his boasting, had never yet in a single quarter reduced serious crime in Ireland to 94 cases. He found that in the three months ending December, 1886, there were 3,458 persons turned out of their holdings in Ireland. The history of agrarian crime in Ireland was practically this—If you had an increase of evictions, there would be an increase of agrarian crime, and if you had a falling off of evictions under the ordinary state of things, you would have a falling off in the amount of agrarian crime. The case of the right hon. Gentleman the Chief Secretary put plainly, was—that he had failed to reduce serious agrarian crime in Ireland, but that he had decreased evictions. That was an admirable decrease, but instead of producing a better state of things, serious agrarian crime had been rising. Was that a success? There was a smaller number of evictions, but a larger amount of agrarian crime. Was that the success of the Coercion Act? When the present Chief Secretary for Ireland came into Office in 1887, in the first quarter of that year there were 5,190 persons turned out; agrarian crime increased immediately; there were 241 cases, or leaving out threatening letters, 137 cases of agrarian crime. Again, there was a large number of evictions in the quarter ending June, 1887—namely, 9,140; there were 229 cases of crime, or 146 serious cases. In the quarter ending September, 1887, after the passing of the Coercion Act, the number of persons evicted fell to 4,195; there were 165 cases of agrarian crime, instead of 146 cases as in the previous quarter. In the quarter ending December, 1887, evictions fell to 550, but there were 120 cases of agrarian crime. In the quarter ending March, 1888, there were only 92 evictions according to the new Returns; but of serious crime there were 98 cases, so that in spite of the tremendous falling off in the number of evictions, there had been a larger number of serious agrarian crimes after the right hon. Gentleman became Chief Secretary for Ireland than there was in the last quarter of 1886, which was the quarter before the right hon. Gentleman came into office. He had said that the falling off of the number of evictions in Ireland was admirable; it was admirable, because there were since the passing of the Act of last Session, 9,076 eviction notices served in Ireland, the effect of which was to transform the position of the tenants into that of caretakers, who were liable to be evicted at any moment by the order of the Petty Sessions Court. Taking five as the average number of persons in the family, which was rather a small average, there were over 40,000 persons at the present moment hourly expecting to be evicted from their homes. In addition to that, there were 11,000 persons put back as caretakers last year, so that there were at the present moment 50,000 persons in Ireland awaiting the visit of the evicting party. Was not that a serious state of things; was it one which the right hon. Gentleman could contemplate with equanimity? If he had not been able to keep down agrarian crime in Ireland with all the powers of his Coercion Act when there were a very small number of evictions, what did the right hon. Gentleman expect would occur when these 50,000 cases he had referred to became ripe for eviction? There was one county in Ireland in which he (Mr. Mahony) had lived, where the National League was not at work, and where the Government with the Coercion Act and the people were face to face—where the people had not shown the readiness to combine together for their own protection, and where, consequently, they were at the mercy of the landlords and their justices. What was the state of that county—the county of Kerry that day? Was the right hon. Gentleman proud of the success of his Coercion Act there? It had not reduced the number of serious crimes in the county of Kerry. It was not so very long ago that there were three men in that county convicted of murder. In the very district in which two of them were hanged, within a few miles of the place where they were committed, there was another terrible murder only a few days ago. That was the state of a county in Ireland where the National League was weak and where the right hon. Gentleman the Chief Secretary for Ireland, as he supposed, would say he was corre-

spondingly strong. That was the state of the county in which Mr. Cecil Roche ruled, and the effect produced by the decisions of what Mr. Roche called Benches of Justice in that county. There was one other point to which he wished to direct the attention of the Committee. Hon. Members opposite had, some of them, before now come to him and said —"We really cannot understand this Irish Question." Then why did they try to legislate upon it? The people of Ireland must trust to those in whom they had confidence. Last Session, in spite of the assurance given by the Prime Minister that nothing on earth would induce the Government to touch judicial rents—because, as he said in "another place," they did not think it would be honest to do so—later on the Government were induced to reduce the judicial rents. Not, he admitted, because the Prime Minister had changed his mind; not because he had told his Followers that it was honest to do what before he said was not honest, but because, as he told his Followers, the Government could not resist the pressure from their allies on that side of the House, so the Government consented to do that which they had previously described as dishonest. Judicial rents were reduced, because at the end of the year 1885 it was proved to demonstration that prices in Ireland had fallen so severely that the rents judically fixed before that time could not be paid. Now, what had happened this year? In the first four months of the year, the old rents amounted in the aggregate to £63,800; the judicial rents only amounted to £46,000,—that was to say, an amount of nearly £18,000 had been taken off those rents. Was that House prepared to allow the persons concerned to be turned out of their homes, and be robbed of their property, to have their earnings stolen from them, because they could not pay that £18,000 for the years 1886 and 1887. He defied anyone to get up in the House and say that those rents were fair. That was what they were face to face with in Ireland at the present moment —over 50,000 people hourly expecting the evicting party, rents being largely reduced, and persons being liable to be turned out because they could not pay rents which the Courts had pronounced to be unjust. And that came from a Government which told them that they wanted to teach the people of Ireland respect for law. People in Ireland would have respect for law just as much as other people if the law was just; but they would not have respect for law which was all in favour of the rich and against the poor. No; when they had to choose between that and another alternative, they would continue to honour men like the hon. Member for East Mayo (Mr. Dillon), who was at present in Dundalk Gaol; they would continue to honour, and love, and respect men like that, who had shown them a way by which the poor and the weak could be protected, and could be guaranteed from crime and outrage, in spite of a Tory Government and the Coercion Act.

Mr. CLANCY (Dublin Co., N.) said, he was surprised that the Chief Secretary for Ireland did not think it his duty to rise and respond to the speech which had just been delivered.

Mr. A. J. BALFOUR said, he had intended to say a few words in answer to the hon. Gentleman; but he saw the hon. Member for the Northern Division of the County of Dublin (Mr. Clancy) was anxious to speak, and he thought he would wait for his observations before replying. However, he had no objection to reply at once to the hon. Member (Mr. Mahony). The hon. Member had gone at great length into the new statistics of evictions which he (Mr. A. J. Balfour) had laid on the Table of the House; and he seemed to think that in some respects those statistics conveyed information in a less correct form than eviction statistics used to do. He was bound to say that he was unable to agree with the hon. Gentleman. He did not believe that in the whole of the history of Returns to that House there had ever been a set of statistics which had been more misunderstood unintentionally and more misrepresented wilfully than these statistics, which were begun to be quoted in the time of the late Mr. W. E. Forster, and which had been quoted ever since. The information on which these statistics were based had been collected in the Constabulary department for a very long period, but it had never been put into a suitable form for publication, for which indeed it was not originally intended. He could only believe that Mr. Forster had not con-

sidered the misrepresentation to which they were liable. But the result had been that most astonishing statements had been made from time to time by persons who were presumably impartial in the matter, and who merely desired to represent to the people of England the truth about evictions in Ireland. He would give the Committee an illustration of the kind of error which could be made, and was made, under the old statistics. Let him take a concrete case. On the property of a certain landlord in Kerry—[*Cries of* "Name?"]—he was not certain of the pronunciation, but he thought it was Moynihan—five tenants were evicted. They owed two and a-half years' rent, and they were not living on the land. Upon the estate there were 82 sub-tenants, in whose cases the legal formality of eviction had to be gone through in order to effect the eviction of the five non-resident middlemen; but they were immediately re-admitted, and thenceforward they held directly under the superior landlord as tenants. In that case the number of tenants actually evicted was five, and these five were non-resident. But in the Return as it was published, the number would appear as 87, while the total number of persons evicted would appear as 441. While, actually, not a single individual was turned out of his house, rhetoricians of the class of the hon Gentleman (Mr. Mahony) would describe the transaction as the eviction of 441 persons who were deprived of their holdings, and turned out on the wayside to starve. That was a good illustration of the statistics which were presented in the old time. He did not think that was the occasion to deal at very great length with the particular use the hon. Gentleman had made of the present form of statistics; but if the hon. Member would give him Notice, he would answer the allegations at the proper time. The hon. Gentleman had uttered all kinds of lugubrious prophecies as to what was going to happen in Ireland in the course of the next two months in consequence of evictions. He would remind the hon. Gentleman that he had heard these prophecies before, but those prophecies had never been fulfilled. The hon. Gentleman the Member for East Mayo (Mr. Dillon) got up in his place last Session while the Land Act was being passed, and remarked that eviction notices were falling like snowflakes, and prophesied a wholesale eviction of Irish tenants, and in consequence outrages on a scale never before known even in Ireland. As a matter of fact, there had not been evictions on a wholesale scale. [An hon. MEMBER: Not yet.] The hon. Member for East Mayo, at the end of last Session, said that eviction notices were falling like snowflakes, that the whole winter would be occupied in evictions on a wholesale scale, and he prophesied that crime would follow in their train. The hon. Gentleman (Mr. Mahony) said that history showed that crime kept pace with evictions. History showed nothing of the kind. If the hon. Gentleman would take the trouble, as he (Mr. A. J. Balfour) had done, to go over the statistical history of the last eight years, and mark the points where crime increased and where convictions increased, he would find that the amount of crime did not follow or correspond with the number of evictions; that the amount of crime in Ireland did not depend upon evictions, but depended upon the manner in which the law was administered. [*Ironical cheers.*] Hon. Members might express dissent; but, unfortunately, these statistics conclusively proved that the assertion he had made was correct. Crime rose before the Crimes Act of 1881. Under the operation of the Crimes Act of 1882 it steadily fell. After the Crimes Act of 1882 came to an end, it immediately began to rise. [Mr. T. P. O'CONNOR: You dropped it.] Now, that was a characteristic interruption. He was pursuing an argument certainly in no unduly controversial spirit when the hon. Member interrupted him with a remark absolutely irrelevant. He would respectfully remind the hon. Member that that was not the proper way to conduct debate in the House of Commons. After the Act of 1882 came into operation crime steadily fell. The Act of 1882 was dropped—rightly or wrongly was not the point; it was dropped. Apparently the hon. Member for the City of Cork (Mr. Parnell) did not wish it to be dropped. Immediately crime began to rise, until the Crimes Act of last year came into force, since which time it had steadily diminished. [Mr. J. E. ELLIS: Not excluding threatening letters.] Perhaps the hon. Gentleman

would allow him to continue his argument. The hon. Gentleman (Mr. Mahony) had made certain assertions with regard to the increase or decrease of crime recently. He gave him no Notice—he (Mr. A. J. Balfour) did not blame him, he was not complaining of it—but the hon. Member gave him no Notice, and he had, therefore, not come down to the House armed with the figures on the point.

MR. MAHONY: I took the figures from the Returns.

MR. A. J. BALFOUR said, he had no doubt the House would receive with satisfaction the statement that if they excluded threatening letters—and the hon. Gentleman was very strong on threatening letters—crime was 33 per cent less in the first six months of this than it was in the first six months of last year, the diminution being greatest under the most serious heads—namely, offences against the person. While that diminution had reached the point he had described, in the first six months of this year, as compared with the first six months of last year, he might say that in the month just concluded there was a still further reduction in the figures. The hon. Gentleman went on to indulge in a spirit of prophecy of a description of the horrors likely to ensue on account of landlords exacting rents accruing in 1886 and 1887, but which had been reduced in 1888. He had two observations to make on that point. In the first place, if the tenants thought themselves aggrieved in 1886 and 1887, it was in their power at any moment to go into the Land Courts and have their rents reduced. But, apart from that, and putting that argument altogether on one side, he asserted that no information he had been able to obtain as to what was going on in Ireland at that moment led him to believe that landlords were, on any large scale, trying to exact arrears of rent of the kind the hon. Gentleman alluded to. He had carefully examined the great majority of the cases in which evictions had occurred. He had examined, so far as he could, the cases in which evictions were threatened, and he boldly said that in the vast majority of those cases the landlords would be only too glad to receive arrears of rent due to them, provided they were diminished by the same amount as rents were being reduced in the Land Courts at that moment. He could not forbear saying—though, of course, it was impossible for him or any other man to assert any proposition so extravagant as that every Irish landlord was not only a just but a liberal man—he boldly asserted that the vast majority of Irish landlords were at that moment showing the greatest possible consideration for their tenants, and that if they were to examine the wrongs of the landlords towards the tenants, and the wrongs of the tenants towards the landlords, as indicated by the arrears of rent due and the conditions under which those arrears of rent became due, he maintained that the balance of wrong was on the side of the tenants, and not on the side of the landlords. He did not know there was anything more he need say. He had gone through the speech of the hon. Gentleman. That was the third time he (Mr. A. J. Balfour) had spoken that night, and he was unwilling unduly to prolong the debate, because he believed there were hon. Gentlemen not from Ireland who desired to raise some other questions on the Vote on Account.

MR. CLANCY said, he was sorry the speech of the right hon. Gentleman was disfigured by some characteristic sneers at the hon. Member for the Northern Division of Meath (Mr. Mahony). The right hon. Gentleman alluded to the hon. Member as a rhetorician, and sneered at his evidence. That was not the first time, or the second time, or the third time the right hon. Gentleman had done that kind of thing, and he did not think it was any credit to a Minister of the Crown, especially a man responsible for the Government of Ireland. The right hon. Gentleman had passed a eulogium on the landlords of Ireland. He did not think it became a Scotch landlord who himself had been accused of oppressing his tenants, to pass such a eulogium upon his brother landlords in Ireland who had been convicted within the last 50 years, and especially during the operation of the Land Act, of the most infamous extortion from their most unfortunate tenants. The right hon. Gentleman had eulogized the Irish landlords, but he had given no proof whatever of his statement. He (Mr. Clancy) declined to accept the right hon. Gentleman's statement as proof. The right

hon. Gentleman had also said that crime and eviction did not accompany each other—he had denied the statement that eviction produced crime. On that point he had not based his statement on any facts or figures. The right hon. Gentleman was not the sole depository of all knowledge on the subject. He (Mr. Clancy) had himself also looked through the figures, and he pledged himself to the House that, as far as he had been able to discover, the statement of the right hon. Gentleman was the very reverse of the fact. It could be shown as clearly as possible that evictions had always produced crime; that crime had always followed in the wake of evictions, and that any statement to the contrary was entirely devoid of foundation. The right hon. Gentleman said that crime fell in 1881, when the Coercion Act of that year was in operation. But in 1881 there was another cause for the diminution of crime—namely, the existence of the operation of the Land Act of 1881. The right hon. Gentleman also said that in 1882 coercion produced a decrease of crime. His (Mr. Clancy's) answer was that there was another Act in that year that accounted for the decrease of crime, and that was the Arrears Act. The case of the county of Kerry had been cited. It had been pointed out, that though in Kerry the Coercion Act had been in operation for the last three years, though Mr. Cecil Roche had been let loose and had been rampart for the last nine months, though there was no National League there worth talking of, the county of Kerry for the past year had never been free from serious crime, and that within the last year two serious agrarian offences had been committed, in spite of the right hon. Gentleman's Coercion Act. The right hon. Gentleman gave them statistics which he (Mr. Clancy) himself declined to accept, until he saw them produced on the Table. The Chief Secretary said that the offences were lower in the last half-year than they had been in any period since the Act of 1881 was passed. [Mr. A. J. BALFOUR: In the last month.] Where were the Returns for the last month? They had not been laid on the Table. The right hon. Gentleman would have to produce that Return [Mr. A. J. BALFOUR: Certainly.], and hon. Members would have to examine it before they could accept the right hon. Gentleman's statement of its substance; if it did not bear out the statement of the right hon. Gentleman, it would not be the first Return that had performed a similar duty. Now, what had produced the diminution in the number of evictions? The very organization which the right hon. Gentleman had attempted to suppress, but which he failed to suppress—namely—the Plan of Campaign. Had not the Plan of Campaign been in operation for the last 18 months, they would have had evictions and crime mounting together side by side as they had before the Plan of Campaign was invented. It seemed to him that the question might be discussed at great length, but he did not propose to discuss it any further. He desired to call attention to one or two cases of the operation of the Coercion Act in Ireland to which he had already, by Question, called attention. In a speech in the recent debate on the coercive proceedings of the Government in Ireland, the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) referred to what was now universally known as the Killeagh case. The right hon. Gentleman pointed out, as a notorious fact, that the Court of Exchequer had set aside a decision of Removable Magistrates, on the ground that there was not a particle of evidence to sustain the conviction. Before the judgment of the Court of Exchequer was delivered, statements were repeatedly made in this House to the effect that the convictions in the case were sustained by evidence. Hon. Members would recollect that, in answer to the right hon. Gentleman the Member for Mid Lothian, the Chief Secretary not once, but twice or three times, declared solemnly that there was evidence to sustain conviction the Killeagh case. The point in the case was that the persons were charged with conspiracy to compel other people not to sell goods.

MR. A. J. BALFOUR was understood to say that he had stated there was evidence of a conspiracy, and he adhered to the statement.

MR. CLANCY said, that the right hon Gentleman was evading the point. The right hon. Gentleman was asked by the Member for Mid Lothian whether there was evidence to sustain the charge o conspiracy which was preferred agains the prisoners, and his answer was tha there was. He now understood th

right hon. Gentleman to say that there was evidence of a conspiracy. He trusted that he would not offend against Order if he said that that was not a truthful answer.

THE CHAIRMAN: The hon. Gentleman has deliberately and with forethought uttered an offensive word.

MR. CLANCY said, he apologized for having used the word. What he desired to convey was that the right hon. Gentleman was asked whether there was any evidence to sustain the conviction on the charge of conspiracy which was preferred against these men, and he (Mr. Clancy) and other hon. Members understood the right hon. Gentleman to say that there was such evidence. He did not know what the right hon. Gentleman stated that night; but the Court of Exchequer had decided that there was no evidence whatever in the case. The men were charged not with a conspiracy to refuse to sell goods, but they were charged with a conspiracy to compel other people not to sell goods, and the Court of Exchequer decided that that charge was unsustained by any evidence whatever. With regard to the right hon. Gentleman's answer in other cases, he (Mr. Clancy) had to say that he had made it his business to inquire, as far as he could, whether in reality those cases were on all fours with the conspiracy in the Killeagh case, and he deliberately asserted that all the cases he had looked into were on all fours with that notorious case. He begged to call attention to one case in particular. On the 3rd of February, at Miltown Malbay, in the county of Clare, William Hynes, Patrick Collins, James O'Brien, and Timothy Flanagan, all respectable shopkeepers, were, amongst others, charged with conspiracy to compel or induce other people not to sell goods to other persons. These men were sentenced to three months' imprisonment, with hard labour, and had appealed to the Chairman of Quarter Sessions. The result was that the sentences were doubled, and each of the four men were sentenced to six months' imprisonment. What he had to charge against the Executive in Ireland was that that these four men were now in prison illegally and against the law. There was no evidence whatever of any conspiracy to compel or induce any persons, either in or out of the town of Miltown Malbay not to sell goods to any person. He had asked the Chief Secretary whether there was evidence of the particular conspiracy charged against these men, and he had replied that there was such evidence. The right hon. Gentleman had refused to lay the depositions on the Table; but he (Mr. Clancy) had obtained a copy of the depositions in the case of William Hynes and Patrick Collins, and those cases were typical with the rest. Martin Lanigan, of Kilduff, acting sergeant of the Royal Irish Constabulary, said—

"I was stationed at Miltown Malbay, on the 23rd of December, 1887, and remember that day. I remember Hannah Connell coming to the police barracks at Miltown on that day. She made complaint. In consequence of that complaint, I and Constable Hownhan accompanied her. We went first to the establishment of Michael Curtin, a baker. Mrs. Mary Curtin was in the shop. I heard Constable Hownhan ask if her husband was in. She said —'No.' Mrs. Connell asked Mrs. Curtin for 6*d.* worth of bread. She said she had none for her: there was bread in the shop. We then left the shop, and went to the establishment of Mr. William Hynes. Mrs. Connell asked for 6*d.* worth of bread from William Hynes; he said he had heard the law explained, and that he could refuse when he liked, and would not give her bread. I saw bread in the shop. We then left the shop and went to the establishment of Thady Flanagan. Mrs. Bridget Flanagan was in the shop. Mrs. Connell made the same demand, and asked for 6*d.* worth of bread. Mrs. Flanagan said she had not bread enough for her own customers, as she was going to bake no more until after Christmas. I saw bread there. I then left that shop and went to the house of Mrs. Mary Collins. Mrs. Connell asked in that shop for one pound of sugar and an ounce of tea. Mrs. Collins put it on the counter to supply her. Mr. Patrick Collins said she could not get it. Mrs. Connell appeared eager to get it, and took it in her hand. Constable Hownhan told her not to take it by force as she was not getting it. Mr. Collins took it quietly away, and put it up. The said deponent saith on his oath that Hannah Connell got nothing that day that I saw."

Cross examined by Mr. Redmond—

"She told me she had been refused elsewhere. Hannah Connell selected the four shops we went to, and they are in different parts of the town, going from one shop to another we passed certain shops without going in. Hannah Connell went in front, she stated to me she had been dealing in Thady Flanagan's previously. Neither Mr. Flanagan nor Mr. Curtin were present. It would be hard to answer whether Hannah Connell really wanted the goods. I believe she would feel all right if she got the goods. I do not know as a matter of fact that she had been in the habit of dealing at Mrs. Moroney's."

The rest of the depositions were of the

same character. The Committee would gather from what he had read that there was not a single syllable to support the charge that these people compelled or induced any person not to sell. He asked the Chief Secretary to redeem the promise he had given to produce the evidence. If there were a conspiracy to refuse to supply goods, there would be abundant evidence, but the people could not be prosecuted under the Coercion Act for that charge. [Mr. W. P. SINCLAIR (Falkirk, &c.,) Hear, hear.] The hon. Member for the Falkirk Burghs, who was an Irishman, and who misrepresented a Scotch constituency, cheered that sentiment. [Mr. W. P. SINCLAIR: I cheered your own statement.] He was glad to see the hon. Gentleman was repenting. [The CHAIRMAN: Order, order!] He had received a copy of the depositions from Mr. Finch, a solicitor in Clare. That gentleman was a man of repute and honour, and he had pledged his word that what he (Mr. Clancy) had quoted from was a fair and true copy of the depositions in the case. Now, in those depositions, there was not a particle of evidence in the case of a conspiracy to compel or induce people not to sell. The men were still in gaol, and that was the reason why he had thought it right to bring the matter under the notice of the Committee. He would have reserved his remarks until the Autumn Session but that the men were in gaol, and there was still time to release them from the illegal imprisonment they were undergoing. It was very curious and rather significant of the state of things in Ireland, that the Judge who confirmed the atrocious sentences in these cases was a journeyman Judge of the right hon. Gentleman. He was a gentleman of the name of Hickson, who during his very illustrious life had been Crown Prosecutor in the county of Kerry, who was a prominent member of the Constitutional Club in Dublin, and who was a constant companion of the landlords of Kerry when he went Assize there, and who himself was a Kerry landlord, and probably a bad one. It was very curious that that was the gentleman selected to try these cases during the illness of the ordinary Chairman of the county. Under all the circumstances, he put it to the Committee, to any Liberal Unionist, or to any Tory, whether the right hon. Gentleman would be justified in continuing the imprisonment of these men when he had no answer to make to the allegations he (Mr. Clancy) had put forward. The right hon. Gentleman had declared that there was evidence of the particular conspiracy charged against these people. He (Mr. Clancy) challenged the right hon. Gentleman to produce it that night, and if he did not produce it, and he still kept these unfortunate people in gaol, he charged him with committing an atrocious outrage on justice. Now, that night, other proceedings in connection with the administration of the Coercion Act had been detailed. A great deal of stress had been laid on the fact that the man selected to try Mr. Latchford was a man who had come into collision with Mr. Latchford in the course of his life in Ireland. The Chief Secretary had refused to notice even the fact that Mr. Latchford had signed a document practically for the removal of Mr. Cecil Roche from his employment. What he had to call attention to in connection with this matter was, that the Tralee case was by no means the only case in which men had been tried by their political opponents. He begged to recall attention to the fact that the hon. Member for West Cork, whose name he might be permitted to give—namely, Mr. Gilhooly, was tried by a man whom Mr. Gilhooly had been for years denouncing as a partizan magistrate. Mr. Gilhooly—[The CHAIRMAN: Order, order!]—The hon. Member for West Cork——

THE CHAIRMAN: The hon. Gentleman did name the hon. Member twice.

MR. CLANCY said, he had no desire to offend against the Rules of the House. The hon. Member for West Cork, before he was elected a Member of the House, had been for years denouncing the conduct of Mr. Warburton, and since he came into the House had continued to do so, and yet the very first occasion on which the hon. Member for West Cork was prosecuted under the Coercion Act was seized upon by the Chief Secretary to call in this very Mr. Warburton to sit in judgment upon the hon. Member. That was a most scandalous proceeding, and it would not do to reply to them, when they made definite charges of this description, that there was no foundation

for them in fact. Now, there was another matter he felt bound to refer to. The right hon. Gentleman had already, as the Irish Representatives viewed the matter, through his agents in Ireland, murdered Mr. Mandeville. It appeared also that within the last week or fortnight the right hon. Gentleman had driven another man mad. [*Laughter.*] The right hon. and learned Lord Advocate laughed at that; but he might restrain his laughter for a more appropriate occasion. This was a more solemn subject than usually attracted the right hon. and learned Gentleman's attention, and he might allow this occasion at least to pass without exhibiting that jococity which at the present moment was not at all edifying. He (Mr. Clancy) had received a letter from a prisoner in the Limerick prison, who detailed the treatment of a man named Thomas Kennedy. Kennedy's case had been before the House for the last few days, and the Chief Secretary had admitted that the man was now a lunatic. Kennedy was convicted of some offence; he (Mr. Clancy) and his Friends called it a political offence, but the right hon. Gentleman called it a criminal offence. The writer of the letter, speaking of Kennedy, said—

"He was brought here, and on Friday last, the 20th instant, he became a lunatic. The Governor and warders were most kind to the poor fellow, but the warders had to tie him to the floor of the Infirmary cells. His shrieks were awful. We were working outside in the yard into which his cell window faced. Two of the lower panes of glass in the window that had been taken out were replaced by perforated zinc. The top of the window was also open, and as the cell is on the ground floor, we could hear the least word spoken inside. When strapped to the floor, Kennedy cried, 'Oh, do ye want to kill me like ye killed Mandeville. Balfour got ye to kill me.' The prison doctor (Gelston), accompanied by Dr. Courtney (Lunatic Asylum), saw him on Saturday, on Sunday, and on Monday. Although he never ceased screaming, they said that he was shamming. I pray God that I may never hear the like again. His woeful 'Oh, they will kill me. Oh, God! Oh-o-o,' and that while we were working in the yard on Saturday, taking walking exercise on Sunday, and walking there again on Monday, was most sickening. It made all political prisoners, especially the Clare men, cry. Not one of us had a dry eye from listening to the pitiful moans and plaintive screams of the poor fellow. It was only on Tuesday he was removed to the asylum. Of course, the governor or the warder were not to blame, but I certainly do blame the two doctors. There were some very bad persons with whom we had to associate here, and even those said it was a disgrace to leave the poor fellow there so long. It is unnecessary for me to tell you the state of my feelings all the time. Even now, I feel the effects of it. I believe that if those doctors knew their duty, they would have ordered Kennedy to be removed to the asylum earlier."

He did not know whether Dr. Barr visited Limerick Prison or not; but, at any rate, it was perfectly plain that the spirit which Dr. Barr infused in the medical treatment of Irish prisoners in certain other gaols was infused into the medical treatment of other prisoners in Limerick gaol. He would like to know what the right hon. Gentleman had to say in defence of treatment like that of the man Kennedy. If Kennedy had been a wild beast, or a horse, or a cow, he could not have been treated more scandalously. He was, however, only a coercion prisoner, only a Member of the National League, but he was treated in such a way by the doctors that their names ought to be held up to the execration of posterity. He was sorry to see the right hon. Gentleman the Chief Secretary laughing.

MR. A. J. BALFOUR: I am not laughing.

MR. CLANCY said, that this was a very serious matter and it was a matter which would not cause laughter in Ireland, and it was a matter that when mentioned on the platforms of England would not cause laughter. He warned the right hon. Gentleman that these were matters far too serious to be laughed at, and he would find that out before very long, if he ever appealed to the country on this coercion policy.

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) said, that before he addressed himself to the particular cases which the hon. Gentleman had just brought under the notice of the Committee, he must make an observation on the terms in which the hon. Gentleman had thought fit to describe the learned gentleman who presided in the Miltown Malbay case. The hon. Gentleman had described that learned gentleman as a journeyman Judge of the right hon. Gentleman the Chief Secretary. The hon. Gentleman ought to know that the right hon. Gentleman the Chief Secretary had no more to do with the appointment of Mr. Hickson than he (Mr. Madden) had. The way in which Mr. Hickson came to ad-

judicate upon the case was this—The County Court Judge was unavoidably prevented from attending by severe illness; and it was the duty, not of the Chief Secretary, but of the Lord Chancellor, to appoint a substitute. He (Mr. Madden) took the liberty of saying, and he was sure no Gentleman at the Irish Bar would contradict him, that the gentleman selected to fill the place of the County Court Judge was a highly respected and an eminently fair-minded member of the Irish Bar. So much for the observations which the hon. Gentleman had made in that matter. As to the facts of the case which the hon. Gentleman had brought before the Committee, he must make this observation at starting. The hon. Gentleman had read several documents in the shape of depositions, but these were not the evidence upon which the case was decided; this evidence had been mentioned before, and he had informed himself of what had actually occurred, and he was convinced no two cases were so dissimilar in character as the Killeagh and the Miltown Malbay cases, although the hon. Gentleman said that those cases were on all fours one with the other. What was the Killeagh case? It was this. The Judges of the Court of Exchequer held that there was evidence to go to the jury of a conspiracy on the part of the defendants to compel and induce other people not to deal with the police with a view to starving them; but it had been held by the Judges that there had not been a conspiracy to induce persons to do other things; it was only held that the combined action amounted to conspiracy not to deal. Two of the Judges in the Court of Exchequer—namely, the Lord Chief Baron and Mr. Baron Dowse—stated that, in their opinion, there was this evidence to go to the jury.

MR. CHANCE (Kilkenny, S.) said, he was present in Court when the case was heard, and he could most distinctly and emphatically say that neither of the learned Judges made any such observation.

MR. MADDEN said, that the Lord Chief Baron and Mr. Baron Dowse had distinctly stated that, in their opinion, there was evidence to go to the jury that the defendants had entered into a conspiracy with the view of starving the police. Now that, of course, was not conspiracy under the summary jurisdiction sections of the Act, but it was conspiracy indictable at the Common Law. The decision of the Court of Exchequer was this, that there being that evidence to go to the jury, and there not being evidence of a particular conspiracy that could be summarily dealt with under the Crimes Act, the case was not one which could be dealt with by the Resident Magistrates. The hon. Member (Mr. Clancy) had contended that the Miltown Malbay case was on all fours with this; but he (Mr. Madden) denied it, and submitted that the hon. Gentleman had not gone a step towards establishing his case by reading the depositions. The case was necessarily heard on depositions before the magistrates, and the hon. Gentleman asked this question—"Why did not the defendants go to the Court of Exchequer?" And he himself answered the question which he imagined was going to be put, by saying—"Oh, they could not go to the Court of Exchequer after they had been to the County Court Judge;" and that, no doubt, was perfectly correct. But after the case had been heard on the depositions—a portion of which depositions had been read to the Committee—the question which the hon. Gentleman had asked would be an important one. Why, if the case was on all fours with the Killeagh case, was not the same course taken?

MR. T. P. O'CONNOR: I rise to Order. I beg to say that I desire to be allowed to hear the observations of the hon. and learned Gentleman the Solicitor General for Ireland; but the hon. and learned Gentleman's Friends are speaking so loudly that it is impossible to hear what he says.

THE CHAIRMAN: I am afraid that that evil is not confined to one section of the House.

MR. MADDEN said, that the hon. Member declared that the intervention of the Court of Exchequer on *habeas corpus* was a new discovery, and that the defendants had been in a position to take advantage of it in the case referred to; but the appeal was taken by a County Court Judge. The whole case was reheard on appeal; and after most careful inquiry he had ascertained that not only was the case formally re-heard—as every appeal was merely a re-hearing—but it was in substance and in fact a hearing

of evidence of a most important kind which was not given before the magistrates.

MR. CLANCY: Does the hon. and learned Gentleman admit that the conviction before the magistrates was *ultra vires?*

MR. MADDEN: Certainly not. He was arguing that advantage was not taken of the power to appeal to the High Court, but that the case was taken before the County Court Judge. The case was one of conspiracy between the defendants, not only between themselves to do certain things, but to act amongst themselves to compel others to do the same. He had heard a suggestion that there were a number of these cases like the Killeagh case; but his reply was, if that were so, why was not the same course adopted as that which was taken in the Killeagh case? He had carefully looked into the depositions in the Killeagh case, and he found that the word "Boycotting" did not occur from one end of it to the other; whereas, in the Miltown Malbay case, there was the clearest evidence of "Boycotting," the word being used in connection with the person who refused to sell food.

MR. T. P. O'CONNOR: Read the evidence.

MR. MADDEN said, it was impossible to read the evidence, because it consisted not only of depositions but of oral evidence of which no record remained.

MR. EDWARD HARRINGTON asked whether the hon. and learned Gentleman could convince them by any newspaper reports that a different case was presented from that which they maintained was presented?

MR. MADDEN said, he had no documentary evidence to lay before the House.

MR. EDWARD HARRINGTON: Therefore, there is no such evidence?

MR. MADDEN said, he had made inquiries, and he could state that the son of Mrs. Connell was examined, and had given most important evidence.

MR. CHANCE: What was it?

MR. MADDEN said, he had proved that Boycotting had been practised because of a small portion of a farm having been taken from a man who had been evicted. This witness stated that the woman was reduced to the greatest misery, that, in fact, she had been kept without food for three days. It was proved that she could not get food elsewhere, and that for her subsistence she had become dependent upon the charity of Mrs. Maloney. The hon. Gentleman (Mr. Clancy) said that the woman went to a shop and was refused food, but that she might have gone to another shop where she could have obtained what she wanted. The fact, however, was that she was refused provisions for three days.

MR. CLANCY: Who proved it?

MR. MADDEN: Her son. It was proved also before the County Court Judge that when she went to the shops she was told to go off and would not be supplied with food, because she was Boycotted. He submitted that that evidence showed that the Miltown Malbay case was a totally different one to the Killeagh case. It was a case of Boycotting and conspiracy, in which those persons who told the woman to go out of their shops were actively participating. The statement had been made over and over again that the case was of the same nature as the Killeagh case, and one as to which the same rule should be applied; but the applicability of such a rule had never been proved. This was not merely a case of conspiracy not to deal, nor a case of conspiracy to injure an individual, but it was a serious case, one of the gravest cases of Boycotting which had ever come before the Courts, and the decision was perfectly correct.

MR. CHANCE said, he did not wish to dwell upon the character of Mr. Hickson; but this he would say, and he thought he was entitled to say, that the defence of that absent gentleman made by the hon. and learned Gentleman the Solicitor General for Ireland had been characterized by extreme injudiciousness. His sole defence was that Mr. Hickson must be a most upright Judge, because he was appointed by a Tory Lord Chancellor.

MR. MADDEN said, that was not correct. He had stated, in the most emphatic way, that Mr. Hickson had been appointed because he was a learned, accomplished, and fair-minded member of the Bar.

MR. CHANCE said, he presumed before the debate concluded that the hon. and learned Gentleman would find that he was mistaken in his prophecy that no hon. and learned Member would differ from his opinion of the charac-

teristics of Mr. Hickson. The main part of the hon. and learned Gentleman's defence of Mr. Hickson, if he would allow him (Mr. Chance) to say so, was, in his opinion, that this gentleman had been appointed by an Irish Tory Lord Chancellor. He (Mr. Chance) did not wish to comment upon this Irish Tory Lord Chancellor; but this he would say, that the conduct of this learned gentleman in the Court of Appeal had been remarkable for one thing at all events—namely, that he had had the misfortune to differ on every political case that had come before the Court from the majority of his Colleagues, who were gentlemen of quite as high standing as the Lord Chancellor himself. With regard to the Miltown Malbay case, he (Mr. Chance) did not know whether the hon. and learned Gentleman the Solicitor General for Ireland was to be taken as admitting that the case, as decided by the Court below, was substantially on all fours with the Killeagh case.

MR. MADDEN said, as he had already stated, he did not admit anything of the sort.

MR. CHANCE said, that the depositions had been read to the Committee, and not one iota of the statements contained therein had been challenged by the hon. and learned Gentleman. The effect of these depositions was that Mrs. Connell had gone to four separate and distinct shops, and that in each she had been refused food. That was the sole evidence given in the case, as was proved by the depositions read by his hon. Friend (Mr. Clancy) just now. Did he (Mr. Chance) understand the hon. and learned Solicitor General for Ireland to deny the accuracy of the statement of his hon. Friend as to the contents of those depositions?

MR. MADDEN said, he did not deny that the hon. Member had read the depositions correctly; but it was impossible to argue out a case of this kind here in the House of Commons. He had stated the case as fairly as he could as a member of the Irish Bar, and he maintained that the Miltown Malbay case differed entirely from the Killeagh case.

MR. CHANCE said, the hon. and learned Gentleman sheltered himself behind his opinion as an Irish Queen's Counsel, but had not given a shred of evidence or authority for the opinion that the Miltown Malbay case differed in principle from the Killeagh case, and he (Mr. Chance) held the hon. and learned Gentleman's opinion to be altogether inaccurate. An hon. Friend of his (Mr. Chance's), who had been professionally concerned in these cases, would presently, he was sure, be able to challenge the accuracy of the facts as stated by the hon. and learned Gentleman—stated by the hon. and learned Gentleman, he quite admitted, in good faith. Even admitting those facts, he would ask the hon. and learned Gentleman this—if the conviction in the Court below was wrong and was not supported by any evidence—and on that point the Killeagh case and the decision of the Court of Exchequer on it was final and definite—why was it come to? If the men had not been wrongfully convicted in the first place, the Crown would not have had an opportunity of having a second shot at them. Now, what was the additional evidence that the hon. and learned Gentleman ushered into the Committee with such an air of extreme earnestness? The fact was, that James Connell had said that some men had refused to fish with him. Even if that were true, how was it evidence of a conspiracy to induce others not to deal? The statement was altogether irrelevant. The next piece of evidence, ushered in with extreme solemnity, was that James Connell stated that some fish hawkers had Boycotted him. How was this evidence against the accused? The hon. and learned Gentleman had given evidence from his own mouth of the complete illegality of the conviction in the County Court. The next piece of evidence was that Mrs. Connell was told that food would not be sold to her because she was Boycotted; but the hon. and learned Gentleman seems to have fergotten what Boycotting meant. It was a combination amongst a number of persons, each of whom refused to deal with the Boycotted person; but the act described as Boycotting in this case was exactly that which the Court of Exchequer had decided was not criminal under the Crimes Act. The hon. and learned Gentleman had asked why application had not been made in this case to the Court of Exchequer. He was sure that the hon. and learned Gentleman had not meant to convey that the advisers

of the prisoners were afraid to make this application. The hon. and learned Gentleman would be the last Member of the House to shelter himself behind that plea when he recollected that the Crown, relying on the technicality of some ancient Statute, had successfully established before the Court of Exchequer this point—that no matter how gross the illegality on the part of the Officers of the Crown, no matter how grossly illegal the conviction, the Court of Exchequer or any Court of Law was powerless to give costs as against the Crown in these cases. Would the hon. and learned Gentleman shelter himself behind the very plea which was raised by the absence of means on the part of prisoners to obtain justice against the enormous resources of the Crown? Another point to which he wished to call the attention of the Committee and the Government was the treatment extended to political prisoners in gaol. A number of prisoners were convicted at Woodford some time ago before the Lord Chief Baron by a packed jury, and what happened to these prisoners? Why, this record was undoubted—one of them had become insane in gaol and one or two had been discharged in a state of desperate ill-health, whilst another of them had died. He believed that out of the whole batch of prisoners only one remained capable of serving out the whole of his sentence. The case of the prisoner who had died in gaol was this. He was a boy named Larkin, and was sentenced to 12 or 18 months' or two years' imprisonment. Whilst in gaol, Larkin contracted a dangerous and weakening disease, and while suffering from that disease he was confined in an ordinary cell. The prison doctor saw him, and directed that he should receive careful treatment, and that warm stupes should be applied to him every hour, and that he should be constantly watched by the hospital warder. But, although this treatment was ordered, the Governor of the gaol apparently took it upon himself to leave the prisoner in an ordinary cell, which was locked 16 hours out of 24, the key being in the custody of the Governor at the other end of the gaol, and not obtainable without going through a most elaborate system of intercommunication. Well, what happened? Why, this young man, who had been ordered careful medical treatment at every hour of the day, was deprived of all medical treatment for 16 hours out of the 24. He grew weaker and weaker, and, nevertheless, this course of abominable brutality was persevered in. About 1 o'clock one night the warder heard a noise, and looking in the cell in which the young man was confined found that he was in a very serious condition. In reply to the young man's appeal for assistance the warder told him he could not unlock the door without calling the prison clerk, who would go to another official, who would either directly or through another official communicate with the Governor. The prisoner was extremely ill, but no immediate attention was paid to him. It was not until the lapse of an hour that the Governor was called, only to be informed that the prisoner had died in his bed, utterly cut off from any medical or spiritual assistance whatever. This was another example of the way in which the Government treated their political prisoners in Ireland. All these facts were proved, and the slightest inquiry on the part of any Member of Her Majesty's Government would serve to convince him that not one word of what he (Mr. Chance) had stated could be in the slightest degree explained away or denied. He had confined his remarks to this one case, and he would leave it to hon. Members, be they Conservatives or Liberal Unionists, to judge of the conduct of a Government which had been guilty, through its officials, of such an act of brutality.

MR. T. C. HARRINGTON (Dublin, Harbour) said, he listened with surprise to the speech of the hon. and learned Gentleman the Solicitor General for Ireland. During the whole course of this debate they had been promised repeatedly by the right hon. Gentleman the Chief Secretary that a number of questions which had been made as to the legality or illegality of certain cases would all be dealt with by the hon. and learned Gentleman the Solicitor General for Ireland when he came to speak; but that, like a good many more promises they had in this House from the same quarter, had only been made to be broken. The hon. and learned Gentleman the Solicitor General had only turned his attention to one case; and he (Mr. T. C. Harrington) could say he

deeply sympathized with the hon. and learned Gentleman in having to risk his undoubted reputation as a lawyer by the manner in which he endeavoured to proved that there was the widest difference between the Killeagh case and the Miltown Malbay case. They had all been anxious to have some documentary evidence laid before them between which and the depositions read by his hon. Friend (Mr. Clancy) they might form a judgment. He must say that the manner in which the hon. and learned Gentleman the Solicitor General for Ireland had addressed himself to this subject was not candid or straightforward. The hon. and learned Gentleman contended that the difference existed in the word "Boycotting" only in the Miltown Malbay case; but the hon. and learned Gentleman must know that this word, which he said established the difference between the two cases, applied to the general conspiracy admitted in both cases. The word "Boycotting" might have been introduced; and no matter how many witnesses might have deposed to it, and no matter how it had been proved over and over again, it had been stated in proof of the general charge of conspiracy, and had nothing to do with the particular charge of conspiracy. Would the hon. and learned Gentleman deny the truth of that; and if he would not, why had he not treated the House with more candour by saying that the word "Boycotting" applied only to general conspiracy, and had altered the comparison instituted between the Killeagh case and the Miltown Malbay case? He could have understood the position of the hon. and learned Gentleman if he had stated to the House that he had a difficulty in dealing with a particular case of this kind arising without notice. The hon. and learned Gentleman had not taken up that position. He pretended that he was going to show the House at once that there was a difference between the Miltown Malbay case and the Killeagh case. However, he had been unable to do anything of the kind. There were depositions in both cases; but the hon. and learned Gentleman pretended that even on the original hearing before the magistrates these two cases were not on all fours, and had stood up again and again to assure hon. Members that there was a difference between the two as tried before the magistrates, and that the Killeagh case, reversed by the Court of Exchequer, was not at all of the same kind as that of Miltown Malbay. But had the hon. and learned Gentleman taken a single point out of the depositions to convince hon. Members of the accuracy of his contention that the two cases were not exactly on a par? No, he had done nothing of the kind; and he (Mr. T. C. Harrington), therefore, contended that his failure to do so was a convincing proof that no difference whatever was shown to exist before the magistrates between the two cases. Was the hon. and learned Gentleman going to defend the policy of the Government now on the ground that the point raised in the Killeagh case by the counsel for the defence had not been raised in the Miltown Malbay case? The hon. and learned Gentleman had said, following the observations of the hon. Gentleman the Member for North Dublin (Mr. Clancy), that it was true that the case, after having been heard on appeal by the County Court Judge, could not be brought under the cognizance of the Court of Exchequer. The hon. and learned Gentleman had asked why the case was not brought under the cognizance of the Court of Exchequer in the first instance. The particular point raised in the Killeagh case as to general conspiracy was raised in that case for the first time, and it had not struck the parties to raise it in the Miltown Malbay case. But did the hon. and learned Gentleman contend that because the point was not raised in the case of the Miltown Malbay prisoners, though it was recognized law, he and his Government were justified in keeping in prison these unfortunate men? They knew that the plea, if it had been raised, would have been a good one, and, knowing that, were they determined that men should continue to bear punishment which, legally speaking, they had not deserved? Now, they had had an observation from the right hon. Gentleman the Chief Secretary for Ireland as to the cases brought on the floor of the House by the right hon. Gentleman the Member for Central Bradford (Mr. Shaw Lefevre). The right hon. Gentleman the Chief Secretary had made a very extraordinary statement with reference to the speech of the right hon. Gentleman the Mem-

ber for Central Bradford. The latter, in the course of his observations, had suggested that the Crimes Act had been put in force at the suggestion of the Irish landlords, and in the interest of the Irish landlords, and the right hon. Gentleman the Chief Secretary had been bold enough to say that the cases which had been referred to in support of that statement would be dealt with by the hon. and learned Gentleman the Solicitor General for Ireland. The hon. and learned Gentleman the Solicitor General for Ireland was in the House when that undertaking was given by the right hon. Gentleman the Chief Secretary; but the hon. and learned Gentleman had neither gone into these cases to explain them, nor had he stated to the House why he was not able to do so. He (Mr. T. C. Harrington) did not know whether the right hon. Gentleman the Chief Secretary denied that this was a proof of the manner in which the Irish landlords knew and recognized that the Coercion Act, which was ostensibly passed for the pacification of the country, was, in reality, passed in their interest. One of the first cases tried under the Act was tried at Sixmilebridge, on the 13th of August. Charges were brought against James Frost for taking forcible possession of a dwelling-house. The forcible possession was really this, that the tenant returned after eviction on an understanding with the landlord that there should be an agreement. The landlord did not come to this agreement, and demanded possession of the house, and then prosecuted the tenant; and here was a letter which was written by the landlord to his agent in reference to the case—

"If James Frost does not instantly write an apology for taking forcible possession, and undertaking that he will not hold it a day longer than I permit, or send you my approval, you must summon him at once, and get the police to clear the premises, and burn the thatch, and have done with it."

Well, the man Frost was summoned at once, and summoned under the Coercion Act, and the spirit in which this landlord anticipated the Coercion Act would be applied, just in that spirit was it administered. The right hon. Gentleman the Member for Central Bradford had drawn attention to the case of Fermoy, where application had been made by a policeman to a shopkeeper for a pair of shoes, and it had seemed to him (Mr. T. C Harrington) that the right hon. Gentleman had not put the case as strongly as he might have done. One of the men applied to to sell this pair of shoes was a man named Moloney. The month before, this man Moloney had given evidence in a case of a dispute that had arisen between the police and the people at the railway station there. Moloney's evidence went to incriminate a policeman, who was sentenced to a month's imprisonment. All the police had been interested in that case. They had done all they could to defend their comrade, and, undoubtedly, Moloney was selected as a person to whom to make application for this pair of boots in consequence of his action in that case. The man who applied for the boots did not want them, and he had never dealt with Moloney before. He did not know what pair of boots he was going to get. This shopkeeper was selected clearly for no other reason except that he had given evidence against the police. The Irish Members, in bringing cases of this kind before the Committee, were in this difficulty—that, differing from all other responsible Ministers who had ever governed Ireland, or from all responsible Ministers who had ever governed any other country, the right hon. Gentleman the Chief Secretary for Ireland was no longer in need of his officials. Night after night these officials had been assailed in this House, and on each occasion the attack only brought him to his feet to give those people fresh testimonials as to character. ["Hear, hear!"] Yes; quite right, if they deserved it, and if the defence made was true; but even hon. Members over the way representing North of Ireland constituencies would admit that Irish magistrates could do and did do most extraordinary things. Every man of common sense must admit that there must be grievances arising under such an extraordinary system as existed now in Ireland. The only one person in the world who would not believe it possible was the right hon. Gentleman the Chief Secretary, and he (Mr. T. C. Harrington) challenged the right hon. Gentleman to point to a single instance in this House where, since his administration commenced, the right hon. Gentleman had got up to acknowledge that a wrong had been done by an official, or to order an inquiry when

they had been dealing with the cases of incriminated persons in that country. One observation made by the right hon. Gentleman to-night was a very remarkable one. He had spoken of the extraordinary reluctance with which he had approached the prosecution of priests in Ireland. Well, the evidence the Irish Members had upon that matter was quite different from that of the right hon. Gentleman, and it would be very instructive to the Committee to listen to one bit of evidence which he could adduce on the point. The right hon. Gentleman himself would, perhaps, be the best witness as to the facts he (Mr. T. C. Harrington) was about to state. Some of the right hon. Gentleman's colleagues in the Irish Government—some of those gentlemen in his confidence—were at a dinner at Dublin, in the month of November, some three weeks before the prosecution of the Rev. Father Ryan. It was mentioned at that dinner that in the private memorandum book of the right hon. Gentleman the following entry was made——

MR. JOHNSTON (Belfast, S.): How do you know?

Mr. T. C. HARRINGTON said, that if the right hon. Gentleman denied the fact, he would say so. The entry was as follows:—

"Now is the time to go for the priests. The selection should be a bad priest and a good speech. There should be as little about rent as possible in the speech. Father Ryan would be the type of man."

He (Mr. T. C. Harrington) challenged the right hon. Gentleman the Chief Secretary to say whether or not any entry was made in his memorandum book.

MR. A. J. BALFOUR: Ridiculous.

MR T. C. HARRINGTON: Will the right hon. Gentleman get up and deny it?

MR. A. J. BALFOUR: I have not got a memorandum book.

MR. T. C. HARRINGTON said, perhaps the right hon. Gentleman had not a memorandum book now; but, fortunately, he (Mr. T. C. Harrington) was in possession of some proof of the statements he made. When the right hon. Gentleman the Member for Central Bradford was in Ireland, in company, he thought, with the hon. Member for the Rushcliffe Division of Nottingham (Mr. J. E. Ellis), three weeks before the prosecution of Father Ryan commenced, he (Mr. T. C. Harrington) had given them a copy of this entry from the right hon. Gentleman's memorandum book. He had stated to these Gentleman—"Watch the prosecution of Father Ryan—he is marked for prosecution." Sure enough, three weeks afterwards, Father Ryan, who was marked for imprisonment, made a speech, and was pounced upon for it. He (Mr. T. C. Harrington) could not convince the right hon. Gentleman that he had had a look at his private memorandum book; but he thought that the fact of his having related with such circumstantial accuracy what it contained, the fact that this entry was shown at the dinner at Dublin, and the fact that the prosecution of Father Ryan had followed so shortly after his statement to the right hon. Gentleman the Member for Central Bradford, was sufficient proof of the truth of the evidence. [*A laugh.*] The right hon. and learned Lord Advocate laughed, but as they were so accustomed to the jokes of the right hon. and learned Gentleman on these subjects they could afford to pass his laughter by. The right hon. Gentleman the Chief Secretary, if he wished to meet the allegations now made, would have to go a little further to convince the public of his tenderness with regard to the priests, and to the genuineness of the advocacy with which he spoke of them. And he (Mr. T. C. Harrington) thought the right hon. Gentleman might learn a lesson from what he had related as proving that the officials by whom he was surrounded, and of whom he was always so ready to give praise, were not always so worthy of his confidence as he seemed to think. Then there was another question which he (Mr. T. C. Harrington) would not like to pass by without a word of comment—he alluded to the report of Mr. Wellington Colomb with regard to the Mitchelstown Inquiry. He must say that the Report and the diagram given by that Gentleman were a complete contradiction the one to the other. There was no means of judging from any other evidence then reported in the inquiry; and how any sane man could have drawn the diagram and written that Report was to his mind a problem which would never be solved. There were three allegations in the Report. First of all, that the man Lonergan had been killed by a ricochet

shot and not by a direct shot. But according to the diagram a ricochet shot could not by any possibility have hit the man if he had been in the position assumed by Mr. Colomb. This gentleman had evidently never read a word of the evidence given at the inquiry—and this was an evidence of the value of Reports received from officials employed in Ireland. Mr. Colomb said it would have been impossible for anybody to kill Lonergan without leaning his head out of the window, and he evidently did not know that the man Dacon who killed Lonergan said that he saw the man fall and had fired at him leaning out of the window. Then with regard to the other two men who were shot, they had been killed nearer the barrack and in a direct line, and Mr. Colomb said it would have been possible to kill them directly, but that most probably they were killed by ricochet shots. But what was the evidence on this point? Why, in the first place, these men were killed by buck shot and not by a ricochet bullet, and to say that they were killed by ricochet shots when only buckshot was used was an absurdity. The medical testimony produced at the inquiry showed clearly that the men had been killed by pellets and not by bullets. It was evident that, without reading a word of the evidence or a word of the examination at the inquiry, this gentleman went down into the district, which, fortunately, had been visited by a great number of Members of this House in order to make an inquiry, and made a Report altogether contradictory to the evidence originally given. What, then, was the value of that gentleman's statement? If anything, it proved that the right hon. Gentleman the Chief Secretary's officials had not meant to kill anyone when they fired. But they had the evidence of the policemen themselves, whom he (Mr. T. C. Harrington) had had the advantage of cross-examining, and this was a bit of the cross-examination—

Q. Did you aim at any particular person?—A.—I did.
Q. Did you fire to kill?—A. I did.
Q. Did you mean to kill?—A. I did.

All the witnesses had stated distinctly at the inquiry that they took deliberate aim, that they fired with the intent that they meant to kill. The Commissioner sent down by the right hon. Gentleman the Chief Secretary endeavoured to make out that the deaths were caused by ricochet shots, and that there had been no intention on the part of the police to kill anybody.

Dr. KENNY said, that this discussion had gone on for a considerable time and it seemed likely that it would go on longer without the right hon. Gentleman the Chief Secretary, or anyone on the Government Benches, giving any satisfaction to the Committee as to the most important question raised in the debate. The right hon. Gentleman the Chief Secretary seemed to have two methods of dealing with everyone. One was to deny the truth of an allegation, and the other was to sneer at it. The Government seemed to be permeated with hostility to everything that was for the good of Ireland, and made a point of endeavouring to stifle and put down every legitimate aspiration of the Irish people. The Report referred to by the hon. and learned Gentleman who had just sat down (Mr. T. C. Harrington) was an admirable sample of this spirit. The Government had only to ask for a report from any understrapper in Ireland who would immediately manufacture one of any character to suit the taste of his employers. No matter how clear the facts or how wildly the Government desire to have them contorted, they had officials always ready to prove anything that they wished, and sometimes, indeed, they went so far as to suggest to him what they should wish. They suggested to him sometimes to voice their own wishes on the subject. Well, he (Dr. Kenny) thought it necessary to call the attention of the Committee—and he hoped the right hon. Gentleman the Chief Secretary would not sneer at it—to the case of the unfortunate man Larkin, who died in Kilkenny gaol. It would be necessary for him (Dr. Kenny) to go briefly over the facts again—and he could assure the Committee that it was no pleasant task for him to have to do so. The lesson to be derived from this poor man's treatment was this—that so great was the demoralization of the Public Service in Ireland, so great was the wish of the underlings to do what they believed, perhaps erroneously, to be the desire of their paymasters, that they neglected the commonest demands of humanity. He did not know the

private character of the medical officer of Kilkenny Gaol, but he did not think it possible for any medical man to be guilty of more inhumanity than this person had been. He had under his care a man who was suffering from a dangerous disease, and he could not plead ignorance on the subject, as it was proved in evidence that the man had been under his care for several days suffering from an attack which, if it did not appear to him was seriously weakening the man, must have been owing to neglect and insufficient examination on his part. The man had been suffering for three days, and perhaps more, from a most exhaustive disease, and instead of doing what any other medical man would have done under the circumstances and removing him from the place he was in to one where he could have received proper treatment, and where his life might have been saved, he left him in the cold, bleak cell at an inclement season of the year without the proper appliances of medicine and treatment. The man was found dead at half-past 4 o'clock in the morning, although it was known that he had been groaning and calling for aid two hours previously. He (Dr. Kenny) had no doubt, from his knowledge of the particular malady from which the man was suffering, that if assistance had been given to him within those two hours he might have been a living man to-day. He would ask the right hon. Gentleman the Chief Secretary whether, under these circumstances, considering that this young man had gone into gaol strong and hearty and healthy, and was carried from it a corpse, he would not take into consideration the desirability of granting some compensation to the widowed mother? He (Dr. Kenny) was sorry to say that up to now the right hon. Gentleman had turned a deaf ear to this appeal, but he (Dr. Kenny) was not without hope that even yet the right hon. Gentleman would take a more humanitarian view of the matter. The whole blame in the case rested with the prison medical officer, and though this case occurred eight months ago, he had not heard that this medical officer had been visited with a single iota of condemnation. He believed this gentleman was still attending Kilkenny Gaol in the capacity of medical officer; and, if so, he maintained that the continuance of such a man in such a post was most detrimental to the people of Ireland. He would ask the right hon. Gentleman whether he intended to take any action in the matter; and if the right hon. Gentleman replied in the negative, he (Dr. Kenny) would say that he was striking a much more serious blow at the cause of law and order in Ireland than any agitator could do in the course of 10 years of his life. Another case to which attention had been called was that of Mr. Latchford, and in reference to that case the hon. Member for the St. Rollox Division of Glasgow (Mr. Caldwell), a strong supporter of the Government, and a Member of that Party without whose assistance the Government would not remain 24 hours in Office, uttered a very strong remonstrance. That hon. Member stated an absolute fact when he said the Crimes Act was passed by the House on the distinct understanding that it would be employed only in the repression of serious crime, and that it should not be used against political opponents, and it shocked even the conscience of a Liberal Unionist to find those promises violated in the manner illustrated by this case of Mr. Latchford. For any offence Mr. Latchford had committed, he might have been proceeded against at Quarter Sessions; but, for the gratification of private spleen, the Coercion Act was applied against a man for exercising what he believed was a right he possessed. Why did not the Chief Secretary remonstrate with those officials who were at his beck and call, men like Mr. Cecil Roche, for using the Act in a manner quite contrary to that which he assured the House it should be employed? Instead of rebuking such officials, and removing them from the district where they had so grossly abused their power, men like Mr. Cecil Roche were encouraged to pursue the same course in other cases. The English people when they came to know, as they would by these discussions, how the Act was misused, would never sanction such proceedings by their votes when the occasion for using their votes arrived. They would not assist the Chief Secretary and his Unionist Friends, unless he (Dr. Kenny) was very much mistaken in the spirit of the English people. Every day the Coercion Act was brought under review was a day plucked from the life

of the Ministry, and diminished the chance of a renewal of their power. The right hon. Gentleman would have little cause to congratulate himself on the action of his underlings whose conduct he now encouraged, and whose only chance of existence as officials was to be the subservient tools of the Administration. That had been so well illustrated in this and many another debate, that it was scarcely necessary to insist on it again. Only one other case would he refer to; it had been mentioned by the hon. Member for the Rushcliffe Division of Nottingham (Mr. J. E. Ellis), and the House would, he was sure, like to have some reply from the hon. and learned Solicitor General when he rose to take part in the discussion. What did the Government propose to do in reference to Mr. Moroney, who had long been in gaol nominally for contempt of Court, but, according to the opinion of all just-minded men, by a gross misuse of the power a Judge had of such committal for contempt. Twenty months' imprisonment was a severe punishment for a man guilty of the most gross contempt of Court, and, according to the evidence of the prison officials, Mr. Moroney, mentally and physically, had suffered severely. Was the man to be kept in prison so long as the vindictiveness of Judge Boyd remained unsatisfied? Was his imprisonment to synchronize with the life of Judge Boyd? No more disgraceful case of vindictive imprisonment was ever sanctioned by an Executive Government than this continued imprisonment of Mr. Moroney. Why, even under the exceptional Bill just carried through Committee in an exceptional manner, and the provisions of which were not thoroughly understood, the power of committal for the most gross contempt was limited to a term of imprisonment to terminate with the life of the Commission, long or short, and that power was conferred by solemn Act of the Legislature; but here was a man imprisoned for 20 months, and for as much longer as Judge Boyd might choose to keep him there, for no offence but the refusal to answer a question that under no straining of the law should he have been required to answer.

MR. CAMPBELL-BANNERMAN (Stirling, &c.) said, he had no intention of taking part in the debate, not because he was not deeply interested, but because he confessed he was not justified by the possession of accurate knowledge of the facts upon which the discussion turned. But he was exceedingly struck by the account of one case, and had waited to hear what explanation would be offered. It was the case to which allusion had been made by his hon. Friend the Member for the Rushcliffe Division of Nottingham (Mr. J. E. Ellis), and which was afterwards detailed at considerable length by another hon Member, and in a manner with which the Committee must have been struck, the case of the man Kennedy, who became a lunatic while suffering imprisonment in Limerick Gaol. Some hon. Members now present might not have heard the hon. Member for North Dublin (Mr. Clancy) read the letter from a prisoner in the same gaol, describing how he and his fellows could not endure to take their usual exercise in the prison yard, because of the groans and the expressions of pain and horror proceeding from the cell in which the unfortunate man was confined, and how after some days, during which he was strangely neglected, he was finally examined and found to be insane, and transferred to the lunatic asylum. He did not know if the Government were altogether alive to the painful impression made on the minds of quiet people in this country by incidents such as those. He was willing to admit, for the sake of argument, that there might be a certain amount of exaggeration in the description; but still when such a case was cited in the House of Commons, and no attempt made to explain it, or promise made of future explanation, he was entitled to express some surprise. He should be glad if the Chief Secretary would say what he knew of the case, and offer, if he could, some explanation of the circumstances alluded to. There was only one other point to which he would refer. He was not surprised that the hon. Member for North Dublin alluded to the extraordinary Report that had been put into the hands of hon. Members that morning in explanation of the Mitchelstown affair. A high officer in the Police Force, being apparently called upon to explain how it was that three men lost their lives, so completely exemplified the leading weaknesses and characteristics of Irish officials when they had not the strong hand of control over them, that he went so far

as to prove that not only was the poor man Lonergan not killed by a ricochet shot, but that, in fact, he was not killed at all, but was alive at the present day. He produced this Report intended to show that death was caused by a ricochet shot, a fact that could be proved by surgical examination he believed, for, as his hon. and gallant Friends would probably know, a ricochet bullet could be detected by its not striking end on as it would in direct aim. But, however that might be, this over-zealous officer produced a plan of the ground, on which he showed by a dotted line the extreme line of fire to where Lonergan stood; but, unfortunately for his argument, anyone who looked at the plan would see that a shot fired along the extreme line of fire towards Lonergan could not ricochet even in his direction. It seemed, therefore, that on this occasion, as on many others, that the principal failing of the Irish officials was over-zeal, and it was desirable that a little more care should be exercised in restraining that in such cases. But he only alluded to that as an interesting matter in connection with the Report that had only come into his hands that day; his principal object in rising was to refer to the case of the man who became a lunatic while detained in prison, and upon this he would be glad to have some information.

MR. A. J. BALFOUR said, the right hon. Gentleman stated that Irish officials were apt to do very extraordinary things, unless a strong hand were kept over them. Was the Committee to understand that the right hon. Gentleman kept a strong hand over his officials in the making of their Reports when he occupied the position of Chief Secretary for Ireland? Did he exercise a strong hand to have Reports framed to suit his convenience?

MR. CAMPBELL-BANNERMAN denied that he made any suggestion of the kind.

MR. A. J. BALFOUR said, the right hon. Gentleman talked of Irish officials who made Reports, and what on earth did he mean by his observation, unless he meant a strong hand in controlling those Reports? The right hon. Gentleman went on to give his view on the Report in reference to the death at Mitchelstown, and that he (Mr. A. J. Balfour) did not propose to argue. The right hon. Gentleman argued from looking at the plan, that a bullet fired along the extreme line of fire could neither hit the man or ricochet towards him. That might be true; but the man was short, and it might be in some other line of fire. [*Cries of* "Look at the map."] He was not prepared to argue any hypothesis and demonstrate it from the plan; but he turned to the case to which the right hon. Gentleman referred as most important, that of the man who went mad in prison. He had no particular information about the case, but he had gathered something from a letter sent to an hon. Member by some prisoner unknown—whether that was an authentic form of information he must leave the Committee to determine, but, assuming that it was, it appeared from this anonymous correspondent that the unfortunate man was kindly treated by the officials. [MR. CLANCY: By the Governor—not by the doctor.] By the Governor and warders. But it appeared from the letter that the doctor mistook the nature of the case. Whether that was really so or not he could not say. But prison doctors were no more infallible than doctors anywhere else, and he knew no means of making them infallible. But the most that could be made of it was, that the prison doctor did not discover, as he might have discovered, that the man was actually insane. There was no evidence that the man suffered from the mistake; it appeared from the evidence in the letter he was kindly treated, and though he might have been removed to the asylum two days earlier, it was not suggested that he would have been in better plight than now. As to the suggestion that his madness was caused by his treatment in prison, there was not a fragment of evidence to support it, and he was surprised that the right hon. Gentleman, of all Members in the House, should lend any appearance of support to the suggestion, for he was one of those under whose authority the prison rules now in force were passed.

MR. CLANCY said, he had not had the advantage of hearing the speech of the Chief Secretary completely, but he had heard enough to enable him to say that the right hon. Gentleman had missed the point of the case. He stated that this unfortunate man was well treated in prison, and so he was by the Governor and warders, but the charge was not

brought against the governor and warders, but against the prison doctor, who for three days heard the man moaning and groaning, and yet persisted in believing he was shamming until the end of that period. The charge was not against the officials strictly so called, the Governor and warders, but against the prison doctor, and the right hon. Gentleman could not ride off on the plea that there was no charge against the officials.

MR. CAMPBELL-BANNERMAN said, he understood the right hon. Gentleman to say that he had no special information; but would he tell the Committee he would make inquiry into the matter?

MR. A. J. BALFOUR said, he would be most happy to do so.

MR. W. H. SMITH said, he might now make an appeal to the Committee to allow the Vote to be taken, having regard to the fact that the Chairman had been at the Table for eight hours, and would be in the Chair again at mid-day.

MR. T. M. HEALY (Longford, N.) said, he would not detain the Committee long. The Government had directed their arguments to rebutting those urged against sentences inflicted on prisoners under the Crimes Act; but he refused to abandon all hope that they would consider the case of those prisoners whose sentences had been increased on appeal—Father M'Fadden, Mr. Blane, and Mr. O'Brien. This increasing of sentences on appeal had been referred to by a supporter of the Government, the right hon. Gentleman the Member for West Birmingham, as a custom more honoured in the breach than the observance. Into contentious matter he would not now enter. The Miltown Malbay case had been argued; it was a matter he did not like to go into, as he was personally concerned, but he did appeal to the Government in regard to the cases of Father M'Fadden and Mr. Blane. Without going into the merits of the cases, he would only refer to the idea that was entertained that when the original term of imprisonment was served the Government would reconsider the situation. Members had arrived at the end of a long Sitting, and were going away upon holidays he hoped they would enjoy; but they could not do so without a thought for those of their Colleagues now in prison who had suffered a long incarceration, and who were under the special penalty of having had their sentences increased on appeal. Surely it would be a graceful act if the Government would remit the term of imprisonment beyond that originally imposed.

MR. A. J. BALFOUR said, everybody would appreciate the spirit in which the hon. and learned Gentleman had made his remarks, and as to the motives that should actuate the Government. He asked the Government to reconsider the position, and he made some reference to remarks of the right hon. Member for West Birmingham that had not come under his (Mr. A. J. Balfour's) notice; but the hon. and learned Gentleman must be aware that the custom of increasing sentences on appeal was not peculiar to this Act. The Judges who had increased the sentences had acted after full consideration of all the evidence, and he did not think it was in his power to review the sentences they had inflicted. Certainly, he could not advise the Lord Lieutenant to exercise the Prerogative of Mercy unless he was convinced that the sentences were excessive. In the case of Father M'Fadden, it was to be observed that though the County Court Judge had increased the length of imprisonment, he had diminished its severity by treating the prisoner as a first-class misdemeanant, so that to reduce the term of imprisonment to three months would be to diminish the original sentence. He believed the same remark would apply to Mr. Blane. ["No!"] Well, he did not think he should be justified in reconsidering the judgments of County Court Judges who were, even less than magistrates, open to hostile comment, for they were able, competent lawyers, and absolutely independent of the Executive. Under the circumstances, though entirely appreciating the appeal of the hon. and learned Gentleman, he could not adopt his suggestion.

MR. T. C. HARRINGTON said, as a fact bearing upon the independence of County Court Judges, it might be mentioned that among the applications for a vacancy among the Judges of the Superior Court were those of two County Court Judges.

MR. CALDWELL (Glasgow, St. Rollox) said, it was to be regretted that the Government did not see their way

to meet the suggestion. There could be no doubt that when the House gave the right of appeal in these cases, they did so in the interest of the accused. He was sure that it never entered the minds of any hon. Members who supported the Government in passing the Crimes Act that there was any risk of these sentences being increased on appeal. It was so in his own case, and there was no such thing known in Scotland as a sentence being increased on appeal. He was speaking in the presence of the right hon. and learned Lord Advocate, who would know that a man could get his sentence reduced or annulled on the ground of informality; but there was no provision in the law of Scotland for increasing a sentence on appeal. It was most unfair to apply such a provision in Ireland. It destroyed the benefit of the accused of the right of appeal, if it was accompanied by the chance of getting his sentence increased; the risk deterred the accused from claiming the protection the Legislature intended to confer. It was because there was a want of confidence in the original tribunal that right of appeal was allowed. Taking an ordinary case before a magistrate, there was no public interest excited, for there was no reason to suppose that outside the individual concerned there was any want of confidence in the tribunal; but, in reference to cases under the Crimes Act, there was an exceptional want of confidence, and hence it was that, with the view of giving accused persons every possible advantage, they were allowed the right of appeal. But if a Judge was allowed to increase the sentence on appeal, the attendant risk nullified the protection. If it was maintained—and of that he could not speak with full knowledge—that Judges in England and Ireland had this power, so, also, had the Executive the power of exercising the Prerogative of Mercy. He did not think the Government would extend their influence by allowing that increase in the severity of punishments. It could do no good in promoting peace in Ireland and respect for law, but rather harm, by what would appear as evidence of a vindictive spirit. Let the Act be carried out in a judicious manner, and it would command the assent of all law-respecting and law-abiding people. He hoped the Government, for their own sake, would see their way to give effect to the recommendation made by the hon. and learned Member for North Longford.

MR. A. R. D. ELLIOT (Roxburgh) said, the hon. Member (Mr. Caldwell) had fallen into a mistake very commonly made, by forgetting that on the hearing of the appeal fresh evidence might be adduced of much more value than came before the Court below. To lay down the proposition that a more competent Court and better informed should not have the power to inflict a proportionate punishment was altogether a mistake. It appeared to him that the more these cases were left to be dealt with by Constitutional Courts in Ireland, England, and Scotland, and the less they were advocated by political Gentlemen in the House and mixed up with Party warfare, the better would it be for all concerned in the administration of justice and good government.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) said, those who made the laws had a right to overlook those who administered them, and to see that they performed their duty according to the intentions with which the laws were passed, and if they failed to do that then it was only right that attention should be called to the failure in that House. The right hon. Gentleman the Chief Secretary for Ireland had said that he thoroughly appreciated the spirit in which the appeal was made to him by the hon. and learned Member for North Longford (Mr. T. M. Healy). It was to be hoped that he also appreciated the more than spirit—the force—of the remarks of the hon. Member for the St. Rollox Division of Glasgow (Mr. Caldwell). That hon. Member was one of the body of Members who placed the right hon. Gentleman in power and enabled him to pass the Crimes Bill. He supported the right hon. Gentleman steadily, aye, obstinately, through all the courses and struggles of that Bill, and now he had explained in plain terms that he did so under the belief that the right of appeal would only be exercised in relief of the accused. What was the meaning of a right of appeal in criminal cases? What was the reason that the prosecution had no right of appeal against sentences which might be passed, and that only the convicted man could appeal? The right of appeal was limited to the accused because it was intended for his

relief; and in that way he contended that the right of appeal, which, according to the structure and theory of the law, was only intended for the relief of the accused, ought not to be sharpened as a weapon against him to strike him down. It was a manifest absurdity which no man could accept. He warned the right hon. Gentleman the Chief Secretary that the speech of the hon. Member for the St. Rollox Division was most significant, as testifying to the opinions of those hon. Gentlemen who placed the Government in power, for it might, in the end, lead to their turning them out of power. He did not consider the hon. Member for the St. Rollox Division to be a man of emotion or impulse; on the contrary, he was of sound, hard, shrewd Caledonian judgment, and he believed the speech showed that the hon. Member was discovering for himself that the feeling and judgment of England were revolting against the cruel and cowardly use made of the Coercion Act in Ireland. Let the right hon. Gentleman then appreciate the political force and warning conveyed to the Government in the speech of the hon. Member for the St. Rollox Division.

DR. KENNY said, he had to complain that the Government had given him no answer to two of the cases he had submitted to the House—the cases of Moroney and Kennedy. In regard to the former, he thought reasonable discretion should be exercised as to the duration of the man's detention, while, as to Kennedy, he did hope there would be a proper investigation of the case by an independent medical man. Personally, he passed no judgment on it. He was quite willing to suspend his judgment until a medical man had reported.

MR. A. J. BALFOUR said, he was afraid the hon. Member was asking too much. He did not think it right for any Government to interfere with the jurisdiction of a Judge in cases of contempt of Court, neither could he agree as to the necessity of further inquiry into Kennedy's case.

MR. T. P. O'CONNOR said, that, in order to raise the question they had been discussing in a definite form, he would propose without further speech a reduction of the Vote by £2,000. He did not think the whole of the Chief Secretary's salary was included in the Vote on Account, but he assumed that £2,000 would be about the proportion.

Motion made, and Question put,

"That the Item of £16,000, for the Office of the Chief Secretary for Ireland, be reduced by the sum of £2,000."—(*Mr. T. P. O'Connor.*)

The Committee *divided:*—Ayes 55; Noes 132: Majority 77.—(Div. List, No. 261.)

Original Question again proposed.

MR. CHANCE said, he wished to draw the attention of the Law Officer to two specific matters. The first was that the costs paid by a tenant on settling a writ for rent were £2 10*s.*; while, if the landlord proceeded on ejectment, they amounted to £1 10*s.* only. There was no reason why the first proceeding should cost more than the latter. The landlord had thus two proceedings open to him. One was less expensive than the other; but as the Land Act of 1887 did not give the Court any power to make an instalment order on a writ for rent, the landlord's agents naturally had recourse to it—the more expensive proceeding. Where a writ in ejectment was served, the Court had, under Section 30 of the Land Act, power to make instalment orders; but to get that relief the tenant had to enter an appearance, although he did not dispute that the rent was due. There was then nothing to prevent the landlord proceeding to put the tenant to all the expense of a trial. The other and usual course adopted by the landlord was a notice of motion for final judgment; the tenant had then to move for an instalment order. Two counsel had to be retained, the case heard in Court, and even if the tenant succeeded, the landlord's costs, which the tenant had to pay, amounted to about £9. This was a prohibitive tax when the rent was £30 or £40 in all. It could be easily avoided by altering the rules and allowing the tenant to submit to the judgment of the Court, and apply for an instalment order in Chambers. Two counsel's fees, two briefs, and the landlord's notice of motion for judgment, would thus be rendered unnecessary, and the costs would be reduced to at most half what they were now. He hoped the hon. and learned Solicitor General for Ireland (Mr. Madden) would give him some assurance that there would be some

alteration made in the direction he pointed out.

MR. MADDEN said, he quite recognized the importance and reasonableness of the suggestions, and he would promise to consider them.

MR. P. STANHOPE (Wednesbury) said, the Motion of which he had given formal Notice with regard to the salary of the Attorney General, and the great inconvenience arising from the Chief Law Officer of the Crown acting as counsel for *The Times*, would not be submitted for discussion until the Autumn Session.

Original Question put, and *agreed to*.

SUPPLY—ARMY ESTIMATES.

Motion made, and Question proposed,

"That a sum, not exceeding £652,000, be granted to Her Majesty, to defray the Charge for Transport and Remounts, which will come in course of payment during the year ending on the 31st day of March, 1889."

MR. M. J. KENNY (Tyrone, Mid) asked the right hon. Gentleman the Secretary of State for War (Mr. E. Stanhope) if he proposed at that hour of the night to proceed with the Army Estimates?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) said, he hoped the Committee would allow these Votes to be taken, as they were of a non-contentious character.

DR. TANNER (Cork Co., Mid) said, he rose, not in his own interest but in that of hon. Members opposite, to oppose the taking of any more Votes. The right hon. Gentleman knew very well that several hon. Gentlemen on his own side of the House, who were supporters of the Government, took serious views of the various Army and Navy Votes, and surely it was not fair to take advantage of their absence. What was the right hon. Gentleman trying to do now, at 25 minutes past 1 o'clock? He was afraid of the arguments which might be addressed to him from his own side of the House. As they knew very well, Her Majesty's Government did not care a bit for arguments or remonstrances, no matter how sound, which might be addressed to them by their political opponents; but when an attack was made on them by hon. Gentlemen who sat behind them, then they began to quake. Why, if they kept on vexing their supporters in the way they had done, they would soon find themselves out of Office. He appealed to the right hon. Gentleman the Secretary of State for War to attend to the remonstrances which had been addressed to Her Majesty's Government in regard to the Naval and Military Votes, and to give the noble Lord the Member for South Paddington (Lord Randolph Churchill), and other hon. Gentlemen interested, an opportunity for properly discussing them. Had he not better consent to report Progress than try to get money surreptitiously at such an unseemly hour? Surely he would recognize the truth of the old proverb—"A stitch in time saves nine," and, instead of trying to get the Saddlery Vote, agree to report Progress. Of course, he knew a Minister would always take as much as he could get. He did not like to detain the Committee, for he certainly felt great sympathy with the Chairman; but it was their duty to prevent the country being robbed; they could not properly discuss Money Votes at that hour of the night, and he therefore hoped the right hon. Gentleman would consent to report Progress, and thus give his own Friends a proper opportunity of criticizing the Votes.

MR. E. STANHOPE: These are non-contentious Votes, and I hope I shall be allowed to take them.

MR. M. J. KENNY said, that nearly an hour had passed since the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) appealed to the Committee, in consideration of the early Sitting of the House on Saturday, to close the discussion then going on, yet the Committee, having voted more than £7,000,000 for the Public Service, were now being asked by the right hon. Gentleman the Secretary of State for War for another £500,000, on the ground that it was a non-contentious Vote. It was noticeable that hon. Members who had shown themselves so anxious to secure economy were absent from the Committee, and no more Votes ought to be taken at that hour of the night. If there were any reality in the appeal of the right hon. Gentleman the First Lord of the Treasury for consideration for the hon. Gentleman the Chairman of Ways and Means, surely it was very unbecoming in the right hon. Gentleman the Secretary of State for War to ask for another Vote, even if it were of a non-contentious

character. He would be much more likely to get the Vote on the following day than at that Sitting.

MR. E. STANHOPE: Very well, I will not press it.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again," put, and *agreed to.*

Resolution to be reported *To-morrow.*

Committee also report Progress; to sit again *To-morrow.*

PHARMACY ACT (IRELAND), 1875, AMENDMENT BILL [*Lords*].

(*Mr. William Corbet.*)

[BILL 357.] COMMITTEE.

Order for Committee read.

DR. TANNER (Cork Co., Mid) asked who happened to be in charge of this Bill? It would require much consideration and amendment, and he took the opportunity to intimate that it would meet with strenuous opposition in its present form.

MR. KELLY (Camberwell, N.) said, he believed the Bill was in charge of the hon. Member for East Wicklow (Mr. W. J. Corbet).

MR. T. M. HEALY (Longford, N.) said, since they allowed the second reading to pass, many representations had been made to them in reference to the Bill, and it would have to be reconsidered.

Committee *deferred* till *Thursday* next.

CHAPELS (CLONMACNOICE) BILL.

(*Colonel Nolan, Mr. T. M. Healy, Dr. Fitzgerald.*)

[BILL 361.] SECOND READING.

Order for Second Reading read.

MR. JOHNSTON (Belfast, S.) said, the Bill proposed to deal with interesting antiquities in King's County, the remains of buildings that were in existence before the Church of Rome existed in Ireland. To the proposal to hand over the control to the Church of Rome he strongly objected.

COLONEL NOLAN (Galway, N.) said, he hoped the hon. Member would withdraw his objection.

MR. JOHNSTON: Certainly not.

COLONEL NOLAN said, the hon. Member was under some misapprehension; there was no intention to devote the chapels to any denominational purposes—the control was transferred and left entirely with the Government.

MR. JOHNSTON said, he must persist in his objection.

Second Reading *deferred* till *To-morrow.*

LIBEL LAW AMENDMENT BILL.

CONSIDERATION OF LORDS' AMENDMENTS.

Motion made, and Question proposed, "That the Lords' Amendments be considered on Monday."

MR. T. M. HEALY (Longford, N.) said, he objected to this opportunity being given for the consideration of the Lords' Amendments to this Bill. It was a most contentious measure, and the discussion must take considerable time. He would strongly appeal to the Government to let the Bill stand over for the Autumn Sitting. It was a most contentious proposal, and it affected all the newspapers in the country. He did not approve of the Bill as it left the House, and he certainly objected to it now.

MR. SPEAKER: This is only a formal proposal that the House may have the Lords' Amendments printed, that they may be considered.

MR. T. M. HEALY said, he objected to the Bill in its entirety, and protested against the present period of the Session being lengthened on account of it. The Bill was promoted by a little knot of interested newspaper proprietors who took a vehement interest in it, and who, having got the Bill so far, would persist in their efforts, and urge that another half-hour would dispose of the Amendments. But to discuss it would prolong the Sitting for another day at least. He strongly urged the Government not to be a party to this. Let the Amendments stand over until the autumn, when Members, having shot their grouse, might be in a better state of mind to consider the question.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, he hoped the hon. and learned Member for North Longford would not persist in his objection, seeing that there was no intention to take the Bill on Monday; the proposal now was simply for putting the matter in order that the Amendments might be printed, and Members might see what they were. Any objection might be raised on the Motion to consider the Amendments; they would not be taken on Monday, or without further Notice being given.

MR. T. M. HEALY said, with the utmost respect to the hon. Gentleman, whose courtesy he was always ready to acknowledge, his objection was to the Bill in every shape or form. He objected to newspapers having further protection. Newspapers ought to be muzzled. He did not believe in what was called "freedom of the Press;" he was opposed to freedom of the Press, and certainly opposed to giving them more freedom for the insertion of libellous matter than they had at present. He must continue his objection.

Question put, and *agreed to.*

RAILWAY AND CANAL TRAFFIC BILL [*Lords*].

CONSIDERATION OF LORDS' AMENDMENTS.

Motion made, and Question proposed, "That the Lords' Amendments be considered on Tuesday."

MR. T. M. HEALY said, his objection applied equally to Tuesday.

MR. SPEAKER: This is merely formal Business, and the hon. and learned Member cannot object to it.

MR. T. M. HEALY: Cannot I object and divide against the Motion?

MR. SPEAKER: The hon. and learned Member cannot divide against this merely formal Business. It is formal and routine Business of the House, and I do not think it comes within the Rules of Opposed Business, or can be opposed.

MR. T. M. HEALY: May I ask you, Sir, is there not a Standing Order that objection being taken to any particular day the Motion goes down for the next day?

MR. SPEAKER: Objection in the present case ought not to be raised. Discretion must be exercised in the application of the Rules to what is or is not Opposed Business. This is purely formal Business that must be transacted if Business is to be proceeded with at all.

MR. T. M. HEALY rose again——

MR. SPEAKER: Order, order!

MR. T. M. HEALY: I wish to ask you a question, Sir. I would ask you to say whether the Business is formal or not? Is not the question of the appointment of Business for any day—affecting, as it surely does, the convenience of Members—is that not a matter upon which the House, as a whole, is entitled to exercise an opinion? For instance, Sir, to cite a precedent, take the case——

MR. SPEAKER: Order, order! This is not binding the House that an Order shall be taken on a particular day—it is only naming a day in order that Business may be put down. The same opportunity is still open to an hon. Member to take objection when the Order is called in the usual course.

MR. T. M. HEALY: May I ask, Sir, what is the value or purpose of putting a Question from the Chair unless the House is to express an opinion?

MR. SPEAKER: Order, order! The hon. and learned Member is now arguing with me. I have given my ruling as to the ordinary and proper course to be pursued.

MR. T. M. HEALY: Will you put the Question, Mr. Speaker?

MR. SPEAKER: Order, order! I shall not put the Question.

Lords' Amendments to be considered upon *Tuesday* next, and to be *printed.* [Bill 366.]

MOTION.

ADJOURNMENT—ORDER OF BUSINESS.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Jackson.*)

COLONEL HUGHES (Woolwich) called attention to an error that had occurred in calling the Orders of the Day. The Order for the Second Reading of the School Board Election Bill, being objected to, was set down for November 7. He had previously inquired of the Clerk at the Table whether he thought the adjourned Session would include the 7th November, and understood him to say he thought it would. But, as there was some doubt about this, and the Bill, if delayed, could not be applied, as he desired it should be, to the November elections, was there any way of correcting the error in fixing the day?

MR. SPEAKER: For what day does the hon. and gallant Member wish the Bill set down?

COLONEL HUGHES: For Monday.

MR. SPEAKER: If the hon. and gallant Member intended to defer the Bill to Monday, and it has been by error set down for November 7, by the leave of the House the alteration can be made.

MR. T. M. HEALY: May I take this opportunity to explain, Sir, that in urging my objection just now I did not know that it was the Railway Rates Bill that was before the House. I have not the slightest objection to that Bill, or to the consideration of the Lords' Amendments. I was under the impression that it was the Libel Law Amendment Bill under consideration.

COLONEL HUGHES asked, in reference to his question, was it necessary to move the correction?

MR. M. J. KENNY (Tyrone, Mid): Is not the Question before us, Sir, that you leave the Chair? Has not the question of the postponement of this Bill been decided?

MR. SPEAKER: It is not a Question to put to the House. It is a question of arrangement of Business between the hon. and gallant Member and the Clerks, and does not come before the House at large. If the hon. and gallant Member made a mistake, or the Clerk made an error in interpreting the hon. and gallant Member's wishes, as a matter of courtesy towards the hon. and gallant Member the alteration will be made.

MR. M. J. KENNY: But is the hon. and gallant Member entitled to make the alteration to an earlier day?

MR. SPEAKER: The hon. Member knows that the House is not bound to consider the Bill on that day. These technical objections cannot be applied to every sort of triviality.

MR. WALLACE (Edinburgh, E.) said, he was anxious to know what would be done with Scotch Business during the remaining fragment of the Session. Could the Lord Advocate say when the Bail Bill and the Burgh Police Bill would be taken?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, that with reference to what had been said by the First Lord on the subject, he would express his willingness to defer to the wishes of Scotch Representatives as to which of the Bills that had been considered by the Standing Committee should have precedence on Wednesday.

MR. BIGGAR (Cavan, W.) said, if he might advert to the position of the Bill in charge of the hon. and gallant Member for Woolwich (Colonel Hughes), he must say he was of opinion that the interest he displayed in the measure was altogether unavailing. Whether it stood for November 7 or not, to suppose that a Bill not yet passed its second reading could become law in time for the November elections was, in the present position of things, absurd.

SIR WILFRID LAWSON (Cumberland, Cockermouth) asked on what day it was proposed to take the third reading of the Members of Parliament (Charges and Allegations) Bill?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): On Tuesday.

SIR WILFRID LAWSON: First Order?

MR. GOSCHEN said, not necessarily; but the hon. Baronet had better renew his Question on the morrow.

DR. TANNER (Cork Co., Mid) asked, could any information be given as to the date when the Irish Drainage Bills would be brought on?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): No, Sir.

DR. TANNER: Are they to be brought on at all?

MR. JACKSON: Yes.

DR. TANNER: "It may be for years, it may be for ever."

Question put, and *agreed to.*

House adjourned at ten minutes before Two o'clock.

HOUSE OF COMMONS,

Saturday, 4th August, 1888.

The House met at Twelve of the clock.

MINUTES.]—SUPPLY—*considered in Committee*—ARMY ESTIMATES, Votes 7, 10, 13, 23; NAVY ESTIMATES, Votes 5, 8, 11, 15, 16. *Resolutions* [August 3] *reported.*

WAYS AND MEANS—*considered in Committee*—£18,326,975, Consolidated Fund.

PUBLIC BILLS — *Ordered* — *First Reading* — County Court Appeals (Ireland) * [367].

Second Reading—*Referred to Select Committee*—Lloyd's Signal Stations [343].

Considered as amended—*Third Reading*—Municipal Corporations (Local Bills) (Ireland) [351], and *passed.*

QUESTIONS.

—o—

BANK OF ENGLAND—PAY OF BANK NOTE STAMPERS.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) (for Mr. CUNNINGHAME GRAHAM) (Lanark, N.W.) asked Mr. Chancellor of the Exchequer, Whether the maximum pay of the bank note stampers in the Bank of England is 30*s.* per week; whether a Petition has been sent by these men to the Directors praying for increase of pay, and why no notice has ever been taken of it; is it a fact that two bank note stampers, who have completed 50 years' service, applied for a pension and were answered that there was "no pension" made for stampers; and, whether he will favourably consider the claims of these men to increased pay and a pension?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) (who replied) said: The hon. Member must have asked this Question under a misapprehension. The Bank of England is not a Government Department, and the Government has nothing whatever to do with the management of its staff, any more than with that of any other bank.

WAR OFFICE—COMMUTATION OF MILITARY AND NAVAL PENSIONS.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked the Secretary of State for War, Whether he expects soon to be in a position to announce a decision on the subject of the commutation of Military and Naval Pensions; and, if he will consider the propriety of providing that such commutations shall not be allowed in the case of officers liable to be called out for service in certain events, and of providing, on the contrary, that these pensions should be conditional on compliance with such Regulations as shall secure the services of those officers in case of need?

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford): In answer to the hon. Gentleman, I have to say that the whole of this subject is under the consideration of the Secretary of State, and I am not in a position to say when a decision will be arrived at.

SIR GEORGE CAMPBELL asked, whether the matters involved in the second part of the Question would receive the consideration of the Government?

MR. BRODRICK replied in the affirmative.

BUSINESS OF THE HOUSE—SCOTCH BUSINESS.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, that, seeing the Lord Advocate in his place, he wished to point out that hon. Members had been given to understand that this was to be a Scotch day. They were often told that the convenience of Scotch Members was consulted, and that they had accepted this or accepted that. If Scotch Members was consulted, he, at any rate, was not one of those whose opinion the Government were in the habit of seeking, and he had questioned several of his Friends on the subject, and they had assured him that they were in the same category. He should like to ask the right hon. and learned Gentleman what process was gone through of arriving at the feeling of the Scotch Members with regard to fixing days for Scotch Business?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities), in reply, said, that if the Scotch Members had not today for Scotch Business they would have Wednesday. He would remind the hon. Member that a meeting was held a short time ago at which the hon. Member was present, and that the general feeling of Scotch Members was that a day should be given for Scotch Business. The Government had desired to give to-day; but owing to events which had happened early this week, as the hon. Gentleman was aware, it had been impossible to adhere to the original intention. Therefore, Wednesday was to be given to the Scotch Members. As the hon. Member seemed to have a special grievance, he would point out to him that it was not always very easy to get at Scotch Members in order to direct their attention on these subjects.

SIR GEORGE CAMPBELL said, the right hon. and learned Gentleman had not answered the general question, which was by what process the opinion of the Scotch Members was to be had?

MR. J. H. A. MACDONALD replied that he did not consider he had arrived at the opinion of the Scotch Members

until he had called them together, and then he was guided by the general feeling of those Members, and not by the opinion of individuals.

SIR GEORGE CAMPBELL asked, whether it must be taken that the paragraph in the newspapers which stated that the Scotch Members had been consulted and had elected to take Wednesday was without foundation?

MR. J. H. A. MACDONALD hoped that hon. Members would not be guided, as to what had been stated by himself or any of his Colleagues, by what appeared in the newspapers.

MR. ANDERSON (Elgin and Nairn) asked, whether the Government intended to take the Burgh Police and Health (Scotland) Bill on Wednesday?

MR. J. H. A. MACDONALD replied in the affirmative.

EAST INDIA (HYDERABAD-DECCAN MINING COMPANY)—THE REPORT—PREMATURE PUBLICATION.

SIR HENRY JAMES (Lancashire, Bury): I have to ask the permission of the House to allow me to make a short statement with regard to a subject affecting the Rules and practice of the House. In several newspapers this morning, and especially in *The Times* newspaper, there appears a statement as to the contents of the Report of the Committee on the Hyderabad-Deccan Mining Company. That Report has not yet been laid upon the Table of the House; but, still, the paragraphs to which I have referred state with some detail what the contents of that Report are. As far as I can judge, the writer who communicated the contents of these paragraphs to the newspapers, who is said to be a person connected with a Press Agency, must have obtained a copy—probably the original draft copy of the Indian Report—at a stage and time when that Report had not approached completion, scarcely had been considered, and was simply a tentative draft Report. While I cannot, for a moment, say what that Report is, or may be likely to be, it is, I think, my duty to say that the statements as to the contents of that Report which appears in the newspapers are not only insufficient, but are misleading, fallacious, and in many respects entirely erroneous. I do not think that at this stage I ought to suggest any course that should be taken to meet the evil which has been so flagrantly displayed, as I have not yet had an opportunity of consulting with my Colleagues; but I am sure they will share with me the great regret that I feel that such a course should have been taken in regard to the Report to which I am referring. I wish to say, as distinctly and as emphatically as I can, that the statements connected with the Company are false and erroneous; because it happens in this particular instance that the duties of the Committee were to inquire into the affairs of a Company, the shares of which have been largely dealt with—speculatively dealt with—and, I believe, are still being largely dealt with on the Stock Exchange; and it appears to me that if the Report I refer to is not at once contradicted, the result will be—and it may be that is the result which is desired—that the credulous and the unwary will suffer, and that those who do not possess those qualities will benefit.

MR. T. M. HEALY (Longford, N.) said, he hoped the Government would avail themselves of the opportunity that would be afforded them in the Bill that had come down from the Lords with regard to the Newspaper Law of Libel to insert a clause that would in the future put a stop to such practices as had been brought before the House by the right hon. and learned Gentleman.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) took the earliest opportunity of asking whether, in regard to the Official Secrets Bill, the Government would take into consideration the question of dealing with not only with those who stole public information, but with the receivers of that stolen information?

MR. T. D. SULLIVAN (Dublin, College Green) asked, whether offences of this sort were not constantly being committed by *The Times* newspaper; and whether it was not the habit of that journal to get information of this kind which was the result of thefts and forgeries?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): It is not possible for me to give a direct answer to the Question of the hon. and learned Member for Longford (Mr. T. M. Healy); but I at once take the opportunity of saying that these occurrences have been of late so frequent that it will

be the bounden duty of the Government to consider what measures should be adopted to put a stop to them.

BUSINESS OF THE HOUSE.

MR. ANDERSON (Elgin and Nairn) asked, what time the Report of Supply was likely to come on to-day, and when Progress would be moved?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.), in reply, said, he hoped it would not be necessary to move to report Progress. He understood that the Votes which had been put down to-day were more or less in the nature of non-contentious Votes. If there were any Votes which were not contentious, it would be desirable either to postpone or remit them, because it was absolutely necessary that the Government should get Supply to-day.

LORD CHARLES BERESFORD (Marylebone, E.) said, he thought the Ordnance Vote was so important that he should ask the hon. Member to postpone it. The Government would remember that Returns had been ordered of five ships of 78 guns; but that those Returns had not yet been printed, and it was desirable that a debate should take place upon that Report.

MR. HANBURY (Preston) said, he thought the Ordnance Vote would take a considerable amount of time, and he would, therefore, suggest that the Vote should be postponed, and that to compensate for it the Government should take the wages portion of the Vote, which was nearly of the same amount as the Ordnance Vote.

MR. R. W. DUFF (Banffshire) said, he was satisfied that the debate on the Ordnance Vote would take three or four hours, and he did not think that it would be well to go into it to-day.

MR. JACKSON said, the Government were most anxious to meet the convenience of hon. Members, and he should be glad to follow the suggestion made that the Wages Vote should be taken if it were on the Paper; but, unfortunately, it had not been put down. It would be convenient if hon. Members would arrange for further discussion on the Ordnance Vote on Report.

MR. ANDERSON said, he thought an opportunity should be given to the Scotch Members for considering certain Scotch subjects which were not dealt with yesterday, owing to the length of time occupied in the consideration of the Irish Votes.

ORDERS OF THE DAY.

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SUPPLY—ARMY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1). £652,000, Transport and Remounts.

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he was quite sure it was the wish of all those who took an interest in these Votes that they should not, at that time of the Session, discuss them at any length. Therefore, he would content himself with making as brief a statement as he possibly could. He saw his hon. Friend the Financial Secretary to the War Department (Mr. Brodrick) in his place, and he would know perfectly well, with regard to remount horses that were purchased, that supposing the First Army Corps were to be mobilized immediately, they would have the greatest difficulty in the world in obtaining the required number of animals. All the batteries which were now at Aldershot, and supposed to belong to the First Army Corps, had nothing like a full complement of horses. He had a full Return with him of what those batteries consisted, and to mobilize any one of them would require 80 horses, or more in some cases. When they came to 80 more horses for each battery, it meant that, in the event of its being necessary to mobilize the First Army Corps, they would have to fill up the gap by taking horses away from other batteries, and so leaving those batteries absolutely inefficient. He believed the Government were endeavouring to carry out the wishes of the House and the country with regard to the First and Second Army Corps; but the country would never believe or be satisfied that they had a First Army Corps until they saw it complete in the field with all the appliances, and especially the proper number of horses and quantity of transport, necessary. His hon. Friend the Financial Secretary to the War Department would not get up and say that there was a proper amount of transport for the First Army Corps at this moment; and that if war should arise, and charge, as the horses did not at first

that Army Corps might have to march at a moment's notice from Aldershot, it would be able to do so without experiencing the greatest difficulty in the matter of transport. The first thing that was necessary to every army which was likely to be called out was a full and sufficient amount of transport. That should be always provided. Without that we were nowhere, and until that was accomplished it was no use to tell us that we had a First Army Corps. He should like to know what steps had been taken, and in what position we were, both as regarded remount horses, which were absolutely necessary for making not only the Artillery, but also the Cavalry complete; for, as regarded the Cavalry, they had only a small number of horses in comparison with the number of men. It was because he did not wish to detain the Committee at that period of the Session, though the question was of paramount importance, that he asked his hon. Friend to state, so far as he was able, how many more horses were required to fill up both the Artillery and Cavalry, and also what amount of transport was ready for the First Army Corps?

MR. HANBURY (Preston) said, he also should like, on this subject of horses, to know on what system the War Office was going to act with regard to the purchase of these animals? As he understood it, there was a fixed limit of price when the horses were purchased in England, beyond which the War Office could not go—a price fixed for Artillery and Cavalry horses. He had been informed, however, that the War Office had been purchasing horses in Canada, and that horses, when purchased abroad, cost a much higher sum than that which the authorities were allowed to pay in England. If this were the fact, he thought it was extremely unjust to the farmers of England and those concerned in the breeding of horses. If the War Office were allowed to give a higher price for horses purchased abroad than for those purchased in England, it would discourage the breeding of horses valuable for military purposes.

COLONEL BLUNDELL (Lancashire, S.W., Ince) said, on this question he should like to say he thought the best place in the world for the breeding of horses was Ireland. Admiral Rous, who was the greatest authority we had had on horses in this country, was of opinion that there was nothing to equal the limestone pastures of Ireland foa the breeding of horses; and he (Colonel Blundell) would strongly impress upon the War Office to take note of that fact. The other point he would urge was this—it was well known that our regimental transport was the best that could be had; but we could not afford to keep it up. He would suggest to the Secretary of State for War that detachments under non-commissioned officers should be sent from each regiment to form part of the transport corps, and to act under transport officers. By doing that, when we wanted to send a force into the field we should always have a transport service ready without additional cost.

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) said, he agreed that the question which had been brought forward by the hon. and gallant Gentleman the Member for North-West Sussex (Sir Walter B. Barttelot) was a most important one. It was one which had occupied the attention of the Government very largely. The Government realized fully that it was absolutely necessary that they should have a First Army Corps in a position to take the field on short notice. The hon. and gallant Member had given special attention to the question of horses, and, in reply to his observations, he wished to say that while up to this moment we had no reserve of horses whatever, this year, for the first time, experiments had been tried in registering horses belonging to private owners at a fixed annual fee of 10*s*. These horses were available by the Government at a moment's notice, so that the Government, in a single day, could lay their hands upon the whole number of horses so registered. He was glad to say that the experiment had been entirely successful. The whole of the 7,000 horses, for which a Vote had been taken in this year's Estimates, were already available. A further step could be taken by the Government, and it would be possible to increase this reserve if the House would grant a further sum of money next year. The greater number of these horses was available mainly for transport; but a certain proportion of them also would be available for Artillery and Cavalry services. The fee charged for registration was, as he had said, 10*s*. per annum, and it would be seen that this was not too high a

come in quickly. Now, however, they were coming in very quickly, and these horses would be the nucleus for our mobilization. Then, as to what fell from the hon. Member for Preston (Mr. Hanbury), he wished to state that the policy now adoptedwas to buy our remounts in this country. He believed the origin of the hon. Gentleman's remarks was this —that a small Commission had been sent out to Canada to purchase horses and investigate the desirability of adopting Canada as a purchasing field for horses. The Commission being an experimental one, the expense of purchasing these horses was out of proportion to the number of animals procured, and he believed that the expenses amounted to £52 per horse, which was in excess of the sum allowed for horses in this country—namely, £45. One of the advantages gained by the change in the method of purchasing horses was that whereas under the old system the market depended on the uncertain demands of the Cavalry regiments in certain neighbourhoods, now that the officers of the Government engaged in purchasing travelled about the country and adopted centres or depôts, the farmers would know from time to time where to send their horses. By centralizing the organization they were getting better class horses, and the farmers knew that if they brought their horses to a certain place at a certain time they would be purchased for the Cavalry or the Artillery. The hon. and gallant Member for the Ince Division (Colonel Blundell) had inquired as to the regimental transport. That subject had occupied the very careful consideration of the Quartermaster General, and he (Mr. Brodrick) quite admitted that there was a great deal in the suggestion of his hon. and gallant Friend. A nucleus of regimental transport had been formed, and the opinion which the hon. and gallant Gentleman had expressed in connection therewith would be considered—that was to say, the desirability of training a certain number of non-commissioned officers in transport duty. As to bringing up the Field Batteries of Artillery in the Army Corps to their full strength in regard to horses, the question was one on which the views of the Military Authorities would be most carefully considered by the Secretary of State.

VISCOUNT GRIMSTON (Herts, St. Alban's) said, he begged to ask the hon. Gentleman if he would inform the Committee at what age these Cavalry re-mounts which were bought for £40 or £45 were obtained. Also, what would be the price given for horses if they were taken compulsorily in cases of emergency? It would be interesting to the Committee to have information upon these points.

MR. BRODRICK said, that the horses registered would be paid for at a higher price than other horses compulsorily taken in time of emergency. Their object was to buy horses at four years' old if they could, but to some extent horses were bought at a less price and kept for some time before being put into the service.

VISCOUNT GRIMSTON asked whether, in the event of an emergency, the prices would be fixed prices?

MR. BRODRICK said, that a higher price would be given for horses actually registered if taken on an emergency than would be paid to the owners of horses not so registered. He could not tell the noble Lord offhand what would be the price paid if horses were taken compulsorily.

SIR FREDERICK FITZ-WYGRAM (Hants, Fareham) said, he desired to say a word upon this subject as one who had been long connected with Cavalry. It was possible, no doubt, by the system of registering, and other means, to obtain on an emergency a number of horses fit either for saddle or harness; but it would be absolutely impossible, in any similar way, to supplement the number of Cavalry recruits. It must be borne in mind that while it only took a few days under a system of registration to obtain horses, and only a week or so to train them to stand fire and the use of the sword over their heads, on the other hand, it took at least a year to train a Cavalry recruit so as to make him available for supplementing a Cavalry regiment. When they bore in mind the short period during which modern wars lasted, and how short and decisive modern campaigns were, it seemed to him that it should be their endeavour to maintain in strength and efficiency that portion of our military organization—namely, the Dragoons and Artillerymen —which it took the longest time to train and prepare. They could get the horses in time for modern warfare, but if the Cavalry and Horse Artillery and the other Artillery were deficient in men no power on earth and no wealth in the Treasury

could provide the force we wanted. A change had been recently made in the system of remounting our Cavalry, and he regretted that change for one or two reasons. We had had two systems of remounting our mounted forces for many years in this country—one a system in which the Cavalry officers bought the horses and were responsible for their quality; and the other in the Artillery and Royal Engineers, where a selected officer was appointed to buy for the whole corps. Perhaps he might be somewhat prejudiced in the matter, but he believed that the Army generally would agree with him that the result of these systems was that the Cavalry was better mounted than the Artillery or Engineers, and that notwithstanding that saddle horses in this country were far scarcer and more difficult to obtain than draft horses, and notwithstanding that Cavalry horses were purchased at £5 less per head than Artillery horses. He thought there had been no sufficient reason shown for the change which had been brought about in the system of purchasing, and he very much regretted that it had occurred. He thought it would have the effect of lessening the competition which existed between regiments, and that pride which officers and men took in the breeding of these horses. Moreover, he did not see what advantage was to accrue from it. It had been said by the Secretary of State that the present system would bring into closer connection the breeder and the Government purchaser; but there was a fallacy in that, as the price given for the horses was a fixed price, and it would be the breeder who, by competition of buyers, would get the advantage, and not the contractors. Allusion had been made to Canadian horses, and he (Sir Frederick Fitz-Wygram) had been a Member of the Committee appointed by the Secretary of State to consider the question of buying horses abroad. The object was not to obtain horses in peace time, but to test the foreign markets as to the supply which could be obtained and the quality of the animals. On that Committee evidence was given by gentlemen interested in the foreign breeds with regard to the number of horses all fit for the bit and bridle which could be obtained on an emergency in their respective countries, which appeared to the Committee to be very doubtful. For instance, when he was Inspector General of Cavalry, an Austrian and Hungarian Commission came over to London and offered to produce 10,000 or any less number of horses at the London Docks from Austria-Hungary at £38 a-piece, all five years old, and 15-2 in height. The Committee of which he was Chairman recommended that that offer should be accepted as to 500 horses. They had sent out representatives to Austria, who stayed there six weeks, and they came back, not with 10,000 horses, for that number they were not authorized to buy, but with less than 500. They had been unable to buy even that number in that country. Few of those they did purchase were 15-2 in height, many were only 15-1, and a considerable number were under 15 hands high, and, generally speaking, they were four year old's instead of five year old's. Similar statements had been made in regard to other countries, but the result the Committee came to was that the statements made could not be depended upon at all, and that it would be extremely desirable to send out powers to buy a limited number of horses in foreign countries each year, in order to see the state of the market and whether the horses were fit for the work they were required to do. He thought it a good plan to test the foreign market from time to time to see what it was possible to do in the way of purchasing foreign animals. As to Canada, it was stated that 1,000 horses could be obtained there almost for asking, and the Government therefore had sent out a small Committee; but the result was that after travelling in that country for some time, and giving notice that they were ready to buy, they obtained only 75, of which only 50 were fit for bit and bridle; the remaining 25 being utterly untrained. The Canadian horses, such as were obtained, might be very good; but what was wanted was to ascertain whether Canada was capable of supplying a large number of horses. The desire of the Committee was to ascertain whether, in addition to the number of horses bred at home, they could procure the number from abroad which would be absolutely required in case of war. Something had been said about the desirability of encouraging the breeding of horses in this country. He believed that any attempt in this direction in

Sir Frederick Fitz-Wygram

order to establish a large reserve of horses in this country would be utterly futile. They could never in this or in any other country have any considerable number of horses in reserve beyond those required for the trade of the country. They could not do it, for the reason that each horse cost from £20 to £30 a-year to keep, and they could not put horses in stock as they could boots, shoes, and clothes. It was for this reason that the Commission of which he was Chairman felt the extreme desirability of testing how many horses could be purchased in, and in what foreign countries. During the time of the Egyptian War in 1882, the Remounting Commission bought in this country about 1,800 horses in about three months. Well, that demand for 1,800 horses had a sensible effect in decreasing the number of horses which were in the market for purchase. That went to endorse what he said—namely, that the number of horses fit for bit and bridle and saddle, surplus to the requirements of the country, were very few in this or, he believed, in any other country in the world. He believed that English horses were the best that could be got, and that every encouragement should be given to the English breeder, but he would remind the Committee that no encouragement could ever cause to be bred any considerable number of horses beyond the number required for trading purposes in the country. When they had drained the country of horses to a certain extent, there would come a time when the owners of horses would require every one they possessed for the purpose of carrying on their trade, and would be unwilling to part with them, however high the price offered might be. He thought the Government had been most fortunate in their selection of their Re-mount Agent, and no doubt as long as Colonel Ravenhill presided over the business, the system would be likely to answer. But they must remember that they had not always been equally successful in their buyer. It was a difficult thing to find men who could buy horses of all classes — namely, Cavalry, Transport, and Artillery horses. Generally speaking a man got his eye set upon one sort of horse, and was a good judge of that class, but of no other class. So far as the re-mount system was concerned, however, he believed it would get a fair trial under the President of the Remount Committee. He should not be at all surprised if it did not answer as well as the old system, and if it was found not to answer, the matter should be inquired into to see whether it could not be improved.

MR. BRODRICK said, he had listened with a great deal of interest to the remarks of the hon. and gallant Gentleman who had just sat down, as he was an immense authority on the question of horses, and he could assure the hon. and gallant Gentleman that his remarks would receive the greatest attention. He was sorry the hon. and gallant Gentleman did not altogether approve of the change made in the system of procuring re-mounts; but he would point out that the system had been adopted after careful consideration, and that it had worked very well. On the other hand, he (Mr. Brodrick) was glad that the hon. and gallant Gentleman approved of the officer appointed to take charge of this matter of purchasing remounts. It was quite true that the competition of officers of regiments with each other in the purchase of horses might have been a good thing for the dealer, but it was not an equally good thing for the Government, because under that system every horse was bought at a high price.

SIR FREDRICK FITZ-WYGRAM said, that that consideration made no difference, because the contract price of the dealer was fixed.

MR. BRODRICK said, they were paying below the maximum price in some cases at the present moment, and the hon. and gallant Gentleman would, no doubt, give the new system a fair trial before condemning it.

MR. W. P. SINCLAIR (Falkirk, &c.) said, that he desired to ask a question of the hon. Gentleman who had just sat down, and as he (Mr. Sinclair) was not a military man he would not detain the Committee any length of time on the subject. The question he wished to put was with regard to the First Army Corps. As a non-military man he ventured to say that this question was receiving considerable attention in the country, and that there was an increasing desire on the part of the public generally to see the First Army Corps ready to be sent out directly any emergency should arise. He should be glad, if within the compass

of this Vote, the Government could say whether a complete Army Corps in all its departments of Cavalry, Infantry, Ambulance, Transport, and all other things necessary for its mobilization, could be sent into the field on short notice; and, if not, when the Government hoped that the First Army Corps would be in such a desirable position?

MR. BRODRICK said, he thought he was right in saying that the demands made upon the Government up to now for the equipment of the First Army Corps had been carefully attended to. It was the desire of his right hon. Friend the Secretary for War to place the Army Corps in the position indicated by the hon. Gentleman.

MR. KIMBER (Wandsworth) said, he should like to ask what was the precise effect of the registration of horses? Could the Government buy the horses registered at a fixed price?

MR. BRODRICK said, that after registration the Government were in a position to have the horses immediately. The price paid to those who had not registered their horses would be somewhat lower than that paid to those who had registered their horses, when their horses were taken under the Compulsory Clauses of the Act bearing upon this subject.

Vote *agreed to.*

(2.) £2,509,000 (Provisions, Forage, &c.).

DR. FARQUHARSON (Aberdeenshire, W.) said, he wished to take advantage of this opportunity to renew the protest he had made on previous occasions with regard to the important questions of soldiers' rations. In his opinion, the soldiers' rations were altogether of an insufficient character, and every time he had raised the question during the past three years, he had been told that the matter was under the consideration of the Government, and he must say he hoped it was under consideration, and the prominent consideration it was receiving would in the end have the effect of bringing about a change for the better. Though he had not been able to excite very much interest in this matter by his own advocacy, he was glad to see that the question was receiving attention in other quarters, and that, amongst other people, the gallant officer in charge of the gynasium at Aldershot had delivered lectures at the United Service Institute on the subject, and on one occasion Lord Wolseley, Adjutant General to the Forces, had expressed a decided opinion that our soldiers were not sufficiently well fed. He had put before the House on many occasions a sketch of a soldier's diet, and he would briefly refer to that point once more. In the morning each man got for breakfast a cup of coffee, to which he might add milk and sugar if he chose to pay for it, and a piece of dry bread, and he might also add butter if he chose to pay for it; at 12 o'clock he got for his dinner ¾ of a pound of meat, including bone, and some potatoes; and at 4 o'clock he got some more coffee and bread. He got nothing between the 4 o'clock meal and breakfast again on the following day. This dietary was extremely badly arranged, especially for the recruit, who was mostly a growing lad from 18 to 19 years of age. They had to undergo hard work of an anxious and difficult character. The men were not well enough fed, and it had been deliberately settled that they should not get more rations, but should get extra pay, in order to enable them to supplement their official rations out of their own pockets. But they knew well what the soldier was, and what was the class of people from whom he came. Colonel Onslow also suggested that the cost of giving extra food to the soldier might be recouped to the nation out of the deferred pay. It had also been proposed that the soldier should be given in the middle of the day—12 o'clock—a light meal of bread and cheese, and that the principal meat meal of the day should be deferred until five o'clock. That would give him something to go on until the next morning. There was no doubt that a great deal of crime in the Army was due to the fact that the men went out in the evening, and took drink on empty stomachs. He suggested that the Government should appoint a Committee of some kind to consider the whole question of soldiers' rations; he did not say it should be a Committee of the House; a Departmental Committee would, no doubt, be good enough. In view of the authoritative opinion on the question expressed by no less an important person than the Adjutant General of the Forces, he thought the time had come when the consideration of the sub-

ject by the Government should assume some practical form.

SIR GUYER HUNTER (Hackney, Central) said, that the question of rations was one on which there was great unanimity—there was unanimity on the part of the combatant officer, of the head of the medical service, and also of the various medical officers in the Service, that the rations of the soldiers were inadequate. He believed that were the inquiry suggested by his hon. Friend (Dr. Farquharson) made, it would be found that many of the diseases from which soldiers now suffered and the consequent depletion of the effective ranks were, in a great measure, the result of the inadequate amount of food given to the men. He trusted that the question would receive the consideration of the right hon. Gentleman the Secretary of State for War.

MR. HANBURY (Preston) said, they had heard something of the quantity of food which was allowed by the War Office to each soldier; but there was still another point to consider, and that was whether the soldier actually got the quantity allowed. He (Mr. Hanbury) had some doubt whether, either as to quality or weight, the soldier got what the War Office allowed him. He earnestly hoped his right hon. Friend would give his careful attention to the point. From all he heard, it was by no means the fact that the soldier got the food for which the country paid. He was not quite certain that in the different regiments sufficient care was taken by the orderly officers and the Quartermasters to see that the provisions came up to the proper standard. He would like to hear what was the procedure adopted in the inspection of the food. Was the Commissariat School at Aldershot still in existence? What steps were taken that the officers in each regiment, who were responsible not only for the weight, but for the quality of the food, were men in whom full trust could be placed?

COLONEL NOLAN (Galway, N.) said, he quite agreed with the hon. Member for Preston that the supply of rations required close attention, but did not always get it from the responsible officers. Of course, the hon. Gentleman's remarks applied particularly to the supply of meat. The bread ration was always properly inspected; but such was not the case with the meat. The inspection usually took place at 6 o'clock in the morning, and, owing to the early hour, it was often slurred over. Often a large quantity of bone, and sometimes of very inferior meat, was passed. He agreed with the hon. Gentleman the Member for East Aberdeenshire (Dr. Farquharson) that the present rations were inadequate. There were not many old soldiers in the ranks now; but old soldiers did not spend very much in bread, but they spent so much in drink. It was well known that the more beer a man drank the less bread he would eat. He believed it was the fact that our bread ration was the lowest ration in Europe; the meat ration was not. If there was a strong reason in favour of raising the meat ration there was one reason against it. Meat could not be wasted, and the evidence given before the Committee was, that if the men got over a pound weight, there was no doubt some meat would be wasted. Whatever was done, it was not possible to touch the soldier's pay. The country had made a contract with its soldiers, and, therefore, it was totally impossible to touch any pay of any men at present in the ranks. Upon the question of the appointment of a Committee of Inquiry, he did not think a Departmental Committee would be as good a body for the purpose as a Committee of the House. Members of the House represented the classes from which recruits were drawn, and, therefore, they might be supposed to know the wants of the people.

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) said, he admitted that the question of rations was one of the greatest importance. After the evidence given before the Select Committee, and especially by a person so responsible as the Commander-in-Chief, that the meat rations were, in his opinion, inadequate, it became absolutely necessary for whoever was in the position of Secretary of State to go into the subject thoroughly. He felt it his duty to look thoroughly into the subject, and to exhaust it before coming to a decision. The hon. and gallant Gentleman the Member for North Galway (Colonel Nolan) had suggested that it would be best that the inquiry should be conducted by a Committee of the House. There were several

difficulties in the way of the adoption of that suggestion. In the first place, the inquiry, such as it was, should take place before the end of the year, or before the next Estimates were prepared, and a Committee of the House could not well sit until next year. He would, therefore, prefer a Committee which need not be purely Departmental, but which should be outside the House, a Committee which should have upon it men of the necessary knowledge and experience to enable a proper judgment to be arrived at. The hon. Gentleman the Member for Preston (Mr. Hanbury) had asked whether the soldier got the amount of meat allowed by the War Office, and whether the quality was as good as it ought to be? He (Mr. Stanhope) confessed that he did not feel himself capable to discuss that subject. He had heard a good many accounts, and some were undoubtedly in the same sense as those the hon. Member had spoken. He would undertake that the matter should come within the purview of the Committee, so that, if they did deal with the meat ration, it should be put on a satisfactory footing.

Lord HENRY BRUCE (Wiltshire, Chippenham) said, he must earnestly maintain that three-quarters of a pound of meat was not enough for a young soldier. He had been told by officers who had risen from the ranks, that young soldiers got up from the dinner table hungry, and it had often been pointed out by officers of standing in the Army, and also by eminent medical officers, that we did not give our soldiers enough meat. If we wished to make our Army popular, as we ought to do, we should certainly provide them with a better ration. It might be true that some regiments got better rations than others. That might be, because the quartermaster of one regiment knew more about his business than the quartermaster of another regiment. It might also be because the quality of meat differed in different places. But his chief point was, that as a rule, young orderly officers were not competent to test the quality of meat. Could a young officer of 17 or 18 years of age be expected to know whether meat was good or bad, especially when he had to inspect it at 6 o'clock in the morning, often before the break of day? He held that the three leading men of a regiment, the colonel, the quartermaster, and the adjutant, should be held responsible for the quality of the rations supplied to the men. In the Colonies every soldier was allowed a pound of meat, without bone; whereas, in England, a soldier was only allowed three-quarters of a pound, with bone. If it was necessary to give a soldier abroad a pound of meat, it was equally necessary to give him that quantity here, where his work was harder. The sooner we saw that our men were better fed, the better recruits we would get, and the stronger our men would be when they were sent on foreign service.

Mr. HANBURY said, he trusted that the right hon. Gentleman the Secretary of State for War would not go through the long rigmarole of a Departmental Committee, or any other Committee, to remedy one or two points which everyone admitted were flaws in the present system, and which it was quite possible to remedy without much delay. The question whether three-quarters of a pound of meat, with or without bone, was sufficient for the subsistence of a soldier, might be one which a Departmental Committee might decide; but it was abundantly clear that as to the quality of the meat, the testing ought to be entrusted to men who had the knowledge to enable them to form a proper opinion. He, therefore, hoped his right hon. Friend would, without all the delay consequent on the appointment of a Committee, at once see that the testing of the rations of the British soldier was put in the hands of experienced officers, or other experienced persons.

General GOLDSWORTHY (Hammersmith) said, he agreed with what had been said by most of the previous speakers. The quartermaster was responsible for the weight of the meat, but it was the orderly officer who was responsible for the quality of the meat, and many orderly officers had no knowledge whatever of what was good or bad meat. On two or three occasions, when he was Assistant Adjutant General at Cork, the meat was rejected, and when complaint was made, the Commissariat officer said, the fact was that the contract was too low. It was no use for the Government or the Commissariat to hope to get good meat for the soldiers, when they knew the contractor could not buy the meat at the price paid him. The soldier suffered. People did not like to

complain. It was well known that many times things were passed over, simply because the private soldier did not like to complain. It was the duty of the officer responsible to see that the rations were all right, and it was the duty of the Government, through the Military Authorities, to see that the officers had that technical knowledge which enabled them to perform the duties required of them. He would be very glad if the Secretary of State for War would take some opportunity of seeing for himself the class of meat served out to our soldiers, because then the right hon. Gentleman would understand the question thoroughly. There were many things which the Secretary of State could look into personally, and in regard to which he could put pressure on the Military Authorities to keep their officers up to the mark. He (General Goldsworthy) considered that the rations were very much less than they ought to be, and that the Government ought to do all they could to make the position of the soldier equal to the men's position in private life, and thus do much to prevent desertion.

MR. E. STANHOPE said, he wished he could be in several places at once and see more of what was going on. He assured the hon. Member for Preston (Mr. Hanbury) that there should be no unnecessary delay. If he was satisfied that anything was going wrong, he would certainly not wait for the Report of the Committee.

COLONEL BLUNDELL (Lancashire, S.W., Ince), said, he could not for one moment admit that the meat supplied to the Army was not properly inspected. He inspected meat for many years, and he certainly had always seen it examined very carefully. He thought, however, that an inquiry was very advisable. If anyone were to go on board one of our ships, he would see that our sailors were given a very much better breakfast than was served out to our soldiers. At the same time, our soldiers got far more meat than any other soldier. It was perhaps as well that the supply should be exclusive of bone. The bread ration, together with the tea bread, was rather more than was necessary; probably a satisfactory re-arrangement of rations might be made.

Vote *agreed to*.

(3.) Motion made, and Question proposed.

"That a sum, not exceeding £643,300, be granted to Her Majesty to defray the Charge for the Superintending Establishment of, and Expenditure for, Engineer Works, Buildings, and Repairs, at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March, 1889."

SIR WALTER B. BARTTELOT (Sussex, N.W.) said he wished to make one or two remarks upon this Vote. His right hon. Friend was perfectly well aware that it was absolutely necessary that some great alteration should be made in many of the barracks in the country. Of course, it was of the utmost possible importance that we should keep our soldiers in a healthy condition; and we could not do that if we housed them in unhealthy barracks, such as the Royal Barracks in Dublin. It was reported that upwards of £40,000 had been expended on the Royal Barracks. Whether that was so or not he did not know, but he had in his hands a letter from a gallant friend of his, formerly a Member of the House, whose son had been seized with typhoid fever in the Royal Barracks. This was early in the year. His informant had gone over there to nurse his son, and he found that there were no less than four officers of the 4th Dragoon Guards who had been struck down by the fever. His informant told him that his son was in what was called the Palatine Square, and on the same staircase poor Mr. Campbell, of the Black Watch, had died shortly afterwards. Cases of fever were perpetually occurring in the Royal Barracks. It had been said, his informant went on to say, that certain works had been commenced and that certain portions of the barracks had been made healthy, but taking the barracks as a whole they were in much the same condition as they were when he (Sir Walter B. Barttelot) was quartered there. Palatine Square, where the junior officers of Cavalry and Infantry were quartered, had never yet been healthy. He (Sir Walter B. Barttelot) thought that, at any rate, the right hon. Gentleman ought to make a great effort to see that the barracks, which were, no doubt, in a good situation as far as strategical and other purposes were concerned, should be made healthy. His informant also told him

that the proposed site of the new barracks was between a cemetery and the public *abattoir*. He put it to his right hon. Friend whether these were not questions which deserved his most serious consideration.

COLONEL NOLAN (Galway, N.) said, the Committee took evidence in regard to the condition of the barracks of the country, and Sir Redvers Buller and many other eminent officers pointed out the great necessity there was for improvement. All the witnesses pointed to the Galway Barracks as being not only the worst barracks in Ireland, but in the United Kingdom. The Galway Barracks were in a shocking state. Many of the buildings were more than 100 years old, and required renewal. He trusted the Secretary of State for War would, if possible, turn his attention to the Galway Barracks without any delay. There was another subject to which he desired to draw the attention of hon. Members. It was a question of general interest, and possibly applied on a much larger scale to Vote 12, which was not to be taken that day. It did, however, apply to the present Vote to a certain extent. He referred to the question of how contracts for stores were given out.

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) said, that if they discussed the question of contracts upon that Vote very much time would be occupied.

COLONEL NOLAN said, the question was one of great importance; but he found the greatest difficulty in getting it taken up. He was greatly in favour of the principle of open competition.

THE CHAIRMAN hoped the hon. and gallant Gentleman would keep his remarks within the limits of the present Vote.

COLONEL NOLAN said, that what he desired was that all the stores and works under this Vote should be put up to open competition.

MR. E. STANHOPE: The stores are taken on Vote 12.

COLONEL NOLAN said, that between £100,000 and £200,000 worth of stores were provided for under that Vote. If the right hon. Gentleman was in a position to say that everything under the present Vote was put up to open competition, he would make no further remarks on the subject of the advisability of putting everything up to open contract. It was of very great importance that there should be advertised contracts. The key of the whole position was, whether the price of the successful contract was disclosed. A circular was lately issued——

THE CHAIRMAN: The hon. and gallant Gentleman's remarks are not relevant to this Vote, which relates to contracts for buildings.

COLONEL NOLAN said, that he would confine his remarks to contracts for buildings. If the whole of the buildings provided for under this Vote were put up to open and advertised contracts, he would——

MR. E. STANHOPE said, that personally he was anxious that these contracts should be put up to open competition, but there were many difficulties in the way.

COLONEL NOLAN said, that if the Department were only to let the Irish contractors compete for the buildings, they would find a very wide area of competition. But he did not bring that forward as an Irish question or an Irish grievance in any shape or form; he brought it forward as a general question. The amount of contracts not put up to open competition was extremely large. He understood that the Secretary of State for War was impressed with the necessity of, at any rate, increasing the area of competition; but, as a general rule, the contracts of the War Department were not put up to open competition.

THE CHAIRMAN: Order, order!

COLONEL NOLAN said, that he meant to confine his remarks to the Vote under discussion. Under this Vote, £200,000 worth of contracts were not put up to open competition, and the price of the successful contract was not disclosed. He did not think they would ever get things as cheap under any system as under that of open contract. The Department could have the work inspected, and they ought to have sufficient confidence in their engineer officers to know that they would get good work. He knew there were many arguments urged against open contracts. He knew that the Trades Unions took a different view of the matter to the contractors who were in the habit of supplying the War Department. He believed that very often they would, under the system he advocated, get things under cost price.

THE CHAIRMAN: I must again beg the hon. and gallant Gentleman to keep to the question of buildings to which the Vote relates.

COLONEL NOLAN said, he was sorry if he inadvertently strayed from the questions covered by the Vote. He put it to the Secretary of State for War, that if he did not disclose the price paid for the buildings, there could be no real competition. He admitted that the successful contractor for a building might not like anyone to know how cheaply he was doing the work; but still, on the whole, the advantages of open competition greatly outweighed the disadvantages. They never would have contracting altogether removed from the suspicion of jobbery until they made jobbery nearly impossible. It could be made impossible, or very nearly so, if they adopted the system of open tender, and of disclosing the price of the successful tender. He did not suggest that the prices of the unsuccessful tenders should be disclosed. The unsuccessful contractors might not wish to show their hands; but the public would hear of it, if the work was given to any but the lowest tenderer.

MR. E. STANHOPE said, that in answer to his hon. and gallant Friend the Member for North-West Sussex (Sir Walter B. Barttelot), he had to say that it was true strong evidence was given before the Committee with regard to the condition of different barracks. It was proposed to spend £40,000 during the coming year in improving the condition of barracks. He had reduced the sum to that amount on account of the special effort which was being made that year to strengthen the fortifications. He quite admitted that the question of barrack accommodation throughout the country required attention, and that in some particular cases it required early attention. In the Recess he proposed to devote his attention specially to the matter of improved barrack accommodation. His hon. and gallant Friend (Sir Walter B. Barttelot) had referred to the condition of the Royal Barracks, Dublin. The hon. and gallant Gentleman was aware that most of the recommendations made by the Committee which sat on the Royal Barracks had been or were now being carried out. Amongst the recommendations there was a proposal that certain portions of the Royal Barracks should be pulled down. The Department were not exactly carrying out the different proposals made by the Committee, but they were pulling down certain portions of the barracks in the hope that the alterations would tend to the better health of the men quartered there. He assured his hon. and gallant Friend that the Department would turn their attention most carefully to the Royal Barracks, because he thought it was a scandal that there should be constant cases of illness arising there. If science could prevent such unfortunate occurrence, every step should be taken. His hon. and gallant Friend referred to the proposed site of the new barracks. He believed, though he was not certain, that the site was between the cemetery and the public *abattoir*. The subsoil water had been found to be absolutely impure. He was afraid there was considerable difficulty in finding a thoroughly healthy site anywhere in Dublin, and that the illness in the Royal Barracks and other barracks had arisen just as much from the general insanitary condition of Dublin as from any defects in the barracks. The hon. and gallant Gentleman the Member for North Galway (Colonel Nolan) had spoken of the contracts for buildings. He would like to say at once, that, personally, he was in favour of open contracts, and he should like to see that system adopted as far as it possibly could be. But it was utterly impossible to adopt the system in all cases of buildings. For instance, in some cases, such as fortifications, special work was required, and it could not be obtained through the system of open contracts.

GENERAL GOLDSWORTHY (Hammersmith) said, he hoped the Secretary of State for War, when considering the question of the improvement of the general barrack accommodation of the country, would turn his attention to the desirability of redistributing some of the troops in the country. At the present moment they were sent to localities which did not require them, because of the buildings that were there. Some of the buildings were not suitable. If we housed the troops worse than the civil population were housed, and without the same sanitary arrangements, we might depend upon it we would not get a good class of men to join the Army.

MR. E. STANHOPE said, that undoubtedly that was one of the greatest considerations the Government could have to consider.

SIR FREDERICK FITZ-WYGRAM (Hants, Fareham) said, he did not think the statement of the Secretary of State for War, that the unhealthiness of the Royal Barracks was due to the unsanitary conditions of the City of Dublin, could hardly be considered conclusive, because typhoid fever had for years past—certainly for 30 years past—occurred in only one particular square of the barracks. Such cases were not known in the Royal Square, or other squares of the barracks. He believed the reason was that the Palatine Square was closed up on all four sides, whilst the Royal Square and other squares were open. They could not attribute the outbreaks to the general conditions of Dublin, but must attribute them to local and special causes.

MR. SEXTON (Belfast, W.) said, he had to submit to the Committee a complaint on behalf of the Harbour Commissioners of Belfast against the War Department. The facts of the complaint were disclosed in a Memorial presented by the Commissioners. Some three years ago, the War Department, through the Military Authorities at Belfast, approached the Commissioners and requested them to grant a piece of ground for the site of a submarine mining establishment at Belfast. The application was made not once, but several times. The correspondence extended over two years, and last year the Commissioners agreed to grant, at a nominal rent, a piece of ground for the purpose. The War Department assented. The Commissioners came to the conclusion that the matter was arranged, and, indeed, closed, and they instructed their solicitor to draw up a lease granting a piece of ground at a nominal rent. The solicitor prepared the lease, and nothing remained to be done except the signing of the document. Suddenly, in the month of April last, the Commissioners, to their amazement, learnt from the War Department that they did not intend to sign the lease, did not intend to have the site they originally intended, but had decided to employ a ship as a joint barrack and submarine mining store. The Commissioners found that they could trust no longer to correspondence, and accordingly they came to the right hon. Gentleman the Secretary of State for War. The subject was debated, and the effect of the interview was set out in one paragraph of the Commissioners' Memorial—namely,

"A deputation of your memorialists thereupon waited on the Secretary of State in reference to the matter, and he agreed with them that a land establishment would be preferable to a vessel for the purpose, and said that provision had been made in the Estimates for the cost of the establishments."

The right hon. Gentleman would not question that account of the interview. He (Mr. Sexton) was at a loss to understand why the Department, having, as a result of correspondence extending over a couple of years, agreed to take a piece of land and place upon it a submarine mining store, should have suddenly changed their mind. He did not think that the Harbour Commissioners had been either fairly or respectfully treated. They had been put to the trouble of again and again considering the question, and they had been put to some expense in preparing the lease. It was unfair for the War Department to play fast and loose with a public Body because it happened to be an Irish public Body. The Commissioners objected to a ship being made the store. They said it would be impossible, owing to the demand for space for commercial purposes, to provide a quay berth for the vessel except at very heavy expense. The port of Belfast was not a port to be treated in that way. It was the first commercial port of Ireland, and it stood third amongst all the ports of the United Kingdom. London being first, Liverpool second, and Belfast third. The port of Belfast supplied a large proportion of the funds which enabled the War Department to execute its work. On behalf of the Harbour Commissioners of Belfast, he protested against the course pursued by the War Department. There had been an entire failure on the part of the Government to carry out a specific contract with the Commissioners of Belfast. There was no sum of money included in the Vote for the carrying out of the contract, but he would move the reduction of the Vote.

THE CHAIRMAN said, the hon. Member would not be in Order in this, because there was no item in the Vote for carrying out the work to which he referred.

MR. E. STANHOPE said, there were no doubt communications between the Commissioners of Belfast and the War Office with regard to a site for a submarine mining establishment, and the position was that they had got very near a point of agreement. But it turned out that the site was not suitable for the purpose intended, and that a considerable amount of money would be saved by placing the stores upon a ship instead of on land. It was for that reason that a change had been made. The War Office were desirous of protecting the port of Belfast by a proper submarine mining defence, and they now thought it the best course to put a ship there instead of erecting a building on shore. If the Commissioners approached him on the subject, he should be most glad to meet them, and had no doubt that they would be able to arrive at an agreement. He assured the hon. Gentleman that there had been no disrespect whatever shown towards the Commissioners, and the idea that there was must, he thought, be the result of a misunderstanding. No money was taken for this purpose in the present Vote, because it came under the head of Submarine Mining in Vote 12.

MR. SEXTON said, he was willing to believe that the right hon. Gentleman had stated the matter according to his memory. He had heard the statement of the Commissioners, which could not be readily put aside. Their Memorial said that they waited on the Secretary of State for War, and that he agreed with them that a land store was preferable to a vessel, and that he had stated that provision had been made in the Estimates. That point he could not set aside. He thought that the unanimous testimony of the Commissioners was about as authoritative as anything in the world, and they said it would be impossible to provide a quay berth for the vessel, except at a very heavy expense. But, as the Chairman ruled that his former proposal was out of Order, he would move the reduction of the Vote to be allotted to Belfast by the amount for new works and additions.

Motion made, and Question proposed, "That a sum, not exceeding, £637,620, be granted for the said Service."—(*Mr. Sexton.*)

MR. MOLLOY (King's Co., Birr) said, this was one of those controversies which had been going on for years, culminating in an agreement between the Commissioners of Belfast and the War Office. The Commissioners wanted considerable additions to the defensive works in their harbour; the right hon. Gentleman the Secretary of State for War had not made a single objection to that, and an agreement was made, and they went to considerable trouble in considering the expense in preparing a lease, and having prepared a lease they were simply told that it was not the intention of the Government to carry out the verbal agreement made with them. Now, he did not think that this was proper treatment to extend to the Commissioners of a port which stood third in importance in the United Kingdom. The right hon. Gentleman the Secretary of State for War said that it was proposed to place a ship in the harbour in which to store the very dangerous matters that would be required. He altogether objected to the placing of explosives in a ship in a harbour in which there was a large number of merchant ships. It was elementary knowledge that this would be a most dangerous thing to do; and, moreover, as the space required would be very large, it would add greatly to the expenses of the port. It would, therefore, be less dangerous and considerably cheaper to place the materials on land. But, in opposition to the Harbour Commissioners, who were the first people to be considered in this question, and whose views had been stated and adopted by the War Office Authorities, it had been decided to place these dangerous materials on board a ship which was to be moored among the commercial craft in the port. Under the circumstances, having listened to the answer of the right hon. Gentleman the Secretary of State for War and the remarks of his hon. Friend, he was bound to say that nothing had been advanced to excuse the position in which the right hon. Gentleman had placed the Commissioners, or the placing of a ship in the midst of the shipping in the port having on board these explosive materials.

MR. SEXTON said, he was sure the right hon. Gentleman did not intend to treat the Commissioners with any disrespect, and it was very far from his intention to imply that he had done so. He understood that the right hon. Gen-

tleman positively stated that the matter was one for investigation.

Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(4.) £1,343,900, Out-Pensions.

(5.) £720,700, Volunteer Corps.

MR. MOLLOY (King's Co., Birr) asked, if the Government would say whether they had finally decided against the proposal that Richmond Park should be given up for the annual meeting of the National Rifle Association?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) said, he imagined that this was so, but he was not then in a position to make any announcement on the subject.

COLONEL LAURIE (Bath) said, although very unwilling to take up the time of the Committee, he was obliged to call attention to some facts in relation to the Volunteer Forces. Under the localizing of forces scheme, Volunteer regiments of particular districts were placed under the command of officers commanding in regimental districts. He thought the scheme for localizing the component parts of the Army and bringing them together under one head was extremely good. Volunteers were responsible to an officer selected by the Commander-in-Chief for the regimental district; and they were also to be under the command of some new brigadier, whose functions he did not know. There could surely be no good reason for placing them under a dual control. At present Volunteer officers did not know who was their commanding officer. These Rules had been announced with a considerable flourish of trumpets, but he found that many of the appointments made were not calculated to satisfy Volunteer officers. He found that the Government had been appointing Militia officers to the command of Volunteer brigades; but looking through the Volunteer Regulations he could find no allusion whatever to the command of Volunteers being handed over to any other branch of Her Majesty's Auxiliary Forces. He ventured to think that the appointment of Militia officers for these commands was not in accordance with the Regulations; and in the opinion of many officers it was exceedingly unfair to men who had worked so steadily and well for the Volunteer Forces. He found that a noble Lord who was captain and honorary major was to be appointed colonel and have the command of a brigade. He had no doubt that the Secretary of State had power to do this, but he doubted the wisdom of exercising it. Was it because this honorary major was a noble Lord that he was placed over the heads of efficient volunteer officers? He was quite unable to understand the grounds of the appointment. If these appointments were necessary at all, he thought it was absolutely unwise and unnecessary for the Government to appoint officers over the heads of many men who were quite competent to take command.

MR. E. STANHOPE said, that, so far as he could learn, these appointments had been received with approval throughout the country; but he believed it would also be recognized that they had been made with the strictest impartiality and with the desire of getting the very best men available for the command of the Volunteer brigades. He believed that offence had not been given to officers of the Volunteer Forces, because men had been selected for command upon their merits, because it was the desire that men should be put in command of brigades who had served not merely as Volunteers. He could say that there was no man more likely to make a good brigade officer, or one who was more fitted for the post, than the noble Lord to whom the hon. and gallant Gentleman had referred. He trusted after these statements that the Committee would allow the Vote to be taken, otherwise he felt that he should be obliged to withdraw it.

MR. TOMLINSON (Preston) said, it was desired by the authorities that, whenever possible, the Volunteers should go into large camps; but the difficulty in the way of their doing this was that they were required to send in their applications at so early a period of the year that it was impossible for them to fix the period at which it was possible to go into camp. He hoped that arrangements would be made which would allow a longer time in which to exercise the option of joining in one of the large military camps.

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK)

(Surrey, Guildford) said, the hon. and learned Gentleman (Mr. Tomlinson) had brought forward an important point, and consideration would be given to the suggestion he had made with a view to meeting it.

Vote *agreed to.*

SUPPLY—NAVY ESTIMATES.

(6.) £1,863,500, Naval Armaments.

THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON) (Middlesex, Ealing) said, it would perhaps be convenient to the Committee if he were to state what were the reasons which induced the Admiralty to take over this Vote, and also to enumerate some of the difficulties which were in their way in making the transfer. As the Committee would be aware, in the past the system was that the War Office always bore upon their Estimates the sums provided for naval armaments. The system was that the Admiralty should requisition the War Office and that the War Office should present to Parliament the sum which in their judgment was necessary to make provision for naval armaments. He had described the past practice, in order to make clear to the Committee that it was not a very wise system. The Admiralty used to send over to the War Office a statement of the number of guns which they would require to be provided for the ships, and for each gun a certain amount of ammunition, according to a recognized scale, had to be provided. That ammunition was divided under two heads known as "Outfit" and "Reserve." The War Office then estimated the cost of the gun, and also the cost of providing that amount of ammunition which had to be provided according to the recognized scale. The Estimate was sometimes correct, and sometimes it had to be reduced. It went on to the War Office and became part of the War Office Votes, and not unfrequently it was further reduced, and the result was, that although the quantity of ammunition provided was fixed between the two Departments, there was no system by which the amount of money necessary for the provision of the quantities agreed upon was voted year after year. It was in human nature that when the Admiralty had only to requisition the War Office that there should be a tendency to increase the amount of ammunition to be provided for each gun; and, on the other hand, the tendency of the War Office was rather to decrease the amount of the money provision they had to make for another Department. The Government agreed that a transfer should take place under certain conditions. The War Office undertook to do the work of storing and testing both guns and ammunition, and they further undertook to provide the Admiralty with all information concerning stores and other matters upon which the Estimates were framed. There was a greater difficulty in giving the Admiralty that information in past years. Very often the amount of money taken for naval ordnance and armaments was insufficient, and the Secretary of State for War had to take what was necessary from other items. It was almost impossible, however, in reviewing the intricate and complicated transactions spread over a great number of years, suddenly to furnish that detailed information which his right hon. Friend the Secretary of State for War hoped last Session would be supplied; but they had a very considerable amount of information, and he would state exactly to the Committee in what respect it was full and in what points it was deficient. They had complete information with regard to the stores at foreign stations, and the outfit and reserve guns there were practically complete. As regarded the home stations, the outfit was complete with the exception of the ammunition for firing guns; but very large orders had been placed this year and last year, and they hoped that the deficiency would be reduced before the close of the financial year. But there was a large deficiency in the home stations in reference to the part of the ammunition known as reserve. What the exact extent was he could not state at the present moment; but there was no doubt that it would be largely reduced before the close of the financial year. It had been quite clear to the Admiralty that if there was the existing deficiency at the commencement of the year they ought to make such provision as would reduce it by the end of that year. Of course, it would have been most unadvisable, in dealing with the existing deficiency, to make an insufficient provision and thus create a prospective deficiency. The

cost of naval armaments had very largely increased in recent years. He had before him a table which showed the ratio which the cost of guns and ammunition bore to the ship to which they belonged, and the ratio of percentage had largely increased. He would give one or two illustrations. In the case of the *Sultan* the cost of guns and outfit was 8 per cent of the cost of machinery and hull; in the case of the *Devastation*, built about the same time, it was 7·8 per cent. Since then there had been a rapid increase, the ratio being in the case of the *Warspite* 10 per cent, the *Benbow* 14 per cent, the *Camperdown* 16 per cent, the *Mersey* 19 per cent, and the *Archer* 20 per cent; and even that percentage showed a tendency to increase. He had had a careful calculation made of what would be the cost of providing three guns and the whole of the ammunition, both outfit and reserve, for all the ships now in course of construction, and he found that on the average the cost of providing guns and ammunition was about 33 per cent of the cost of the hull and engines, or, in other words, about one-third. As he had said, the ammunition was divided under two heads, the outfit and reserve, and the outfit was part of the amount in reserve. For the sake of clearness, he would repeat that, including the guns and outfit and reserve ammunition, the cost of providing the guns was one-third of the cost of constructing the hull and machinery of existing ships. Their shipbuilding programme this year represented in money about £2,600,000, and, according to the calculation referred to, the amount of money necessary to make full provision for the armaments of all ships building or in course of construction would be £860,000. Now the actual amount taken was £1,800,000, so that a very large difference existed between the amount which they provided and the amount required. However, from that margin had to be deducted a certain amount for various expenses. He believed, if they could keep the Estimate at its present high level, that they would very shortly be able to largely decrease the existing deficiency. It was becoming clearer every day that it was not wise to accumulate an enormous quantity of stores which were of a perishable nature. What they had to see was, that there should be an ample supply of those articles which could not be made quickly, and that there was a sufficient supply of perishable materials necessary to meet an emergency. But if the reverse system were adopted of accumulating a large amount of perishable material at the commencement of one year, there would be a large quantity of obsolete material at the close of another. The amount of liability on outstanding contracts which had been handed over to the Admiralty was about £700,000, of which about £400,000 had been contracted for, the remainder representing material which came from Woolwich. Last year, owing to the contractors at Woolwich Arsenal not being able to turn out a sufficient amount of work, the Admiralty had to surrender out of the total Vote no less than £665,000 to the Treasury. If the contractors at the Arsenal at Woolwich had been able to earn all this money, the Admiralty would have been practically able to wipe off the outstanding liability. There having been this very unsatisfactory surrender on the part of the Department this year, the Admiralty would take every precaution against the recurrence of a similar surrender, and therefore he had directed that a larger amount of orders in proportion to the money voted should be put out this year than last year. If all those orders were executed within the year, he might have to ask for a Supplementary Estimate, but that entirely depended on the progress made by the contractors. They accepted, as he had stated in his Memorandum, the responsibility for the sufficiency of the money taken so far as guns were concerned, because they had complete information on the point, and because he had the particulars as to every gun of every ship, including the reserve, either building or about to be built, and the orders had been placed. As regarded the ammunition, the Admiralty could not accept responsibility until they had full and complete information. He had no doubt that they should have such complete information before the close of the financial year, and if then the information showed a larger deficiency than was anticipated, he should not hesitate to submit to the House a Supplementary Estimate.

Mr. R. W. DUFF (Banffshire) said, he was indebted to the noble Lord the

First Lord of the Admiralty for the statement made with regard to the transfer of this Vote. He was very glad that the noble Lord had been able to carry out the policy which had been decided upon by his (Lord George Hamilton's) Predecessor, but he admitted that the late Board of Admiralty had not had time to overcome a good many difficulties connected with the transfer of the Vote. It was not any easy matter, and he was glad the noble Lord had so arranged matters between the Naval Department and the War Office, and that the whole of the responsibility for the Navy would be placed on the Admiralty. With regard to this Vote he thought the Committee had some reason to complain that they had not a sufficiency of information from the Admiralty. In this Vote the sum of £460,000 was asked for on account of guns, but the Committee were not told what was the nature of the guns that the Admiralty were going to give them. It was admitted by the Admiralty and the noble Lord the First Lord himself, that there was delay in delivering guns of over 9 inches in diameter. The present Estimates gave no information as to the number of heavy guns ordered, or when they were likely to be delivered. Now, there was just as much difference between a 110-ton gun and a Nordenfelt gun as between an iron-clad and a torpedo boat. It would be just as reasonable to ask for money for ships without saying what they were to be, as it would be to ask for this Vote for guns without describing them. The Director of Naval Ordnance prepared a complete Estimate. Why should this not be presented to the House? If the Admiralty could not give them all the information, he trusted that in a future case they would be able, at any rate, to give a little more than was conveyed by simply putting down the sum of £460,000 for guns. But there was one point which was rather disappointing in the speech of the noble Lord. Returns had been presented, moved for by the noble and gallant Lord the Member for East Marylebone (Lord Charles Beresford), which showed that the supply of guns was now lamentably deficient. There was one Return of the 25th May, which showed that there were 26 guns short, of over 9 inches in diameter, for vessels built and in course of construction. Then they had vessels coming home from the Mediterranean which would, no doubt, require re-armament. These were the *Agamemnon*, the *Alexandra*, the *Devastation*, the *Dreadnought*, the *Inflexible*, and the *Thunderer;* and he believed that the *Orion* also would require new guns. These would require 26 guns of over 9 inches in diameter, and, with a reserve of eight, made a total of 60 guns at least required for the Naval Service. But in discussing the means of producing these guns the Committee would bear in mind that the Navy had to depend upon the same source of supply of guns as the Army. According to the smallest estimate, there were required for the Land Service, and to arm military ports and coaling stations, 100 guns of 9 inches diameter, making, with those required for the Naval Service, a total of 160 guns of 9 inches diameter, which would have to be turned out in the course of three years. Was there any reasonable probability of these being produced in that time? They could only judge by what had been done before. According to the Return presented to Parliament since 1883, our rate of production of guns over 9 inches in diameter had been as follows:—In 1883-4 we had turned out 12 guns for Naval Service; 1884-5 we had only turned out two guns; in 1885-6, six guns—all for Naval Service—and, admitting that there was a great improvement last year, he found that we had turned out in 1886-7 15 heavy guns for the Navy and five for Land Service. So that in the course of the last four years the number turned out had been 40 guns, or at the rate of 10 guns for every year; but supposing they were able to turn out their guns at the rate of 20 a year, it would take eight years to produce all that was now required to carry out the programme laid down by the Government. He was quoting Official Returns; if they were inaccurate the noble Lord would correct him. Parliament had voted money for military ports and coaling stations, and the right hon. Gentleman the First Lord of the Treasury had told them that these would be completed in three years, and, therefore, the guns, he presumed, must be ordered. If they were to come from the same supply as the Naval guns, he asked, how were they to be obtained? He maintained that it was absolutely impossible for the Admiralty to complete their programme if they were to rely

upon Whitworth, Armstrong, and Woolwich. This was an important point. He pointed out to the noble Lord the First Lord of the Admiralty, when the Estimates came forward, that they were not taking enough money for guns, and the noble Lord had replied that it was of no use to take more money, because, if they did so, they would not be able to spend it. But he was very glad to read the speech delivered by the noble Lord at Derby, six weeks ago, when he said that if the existing factories failed to meet the requirements of the Admiralty, they must further develop British enterprize. He was entirely agreed in that with the noble Lord, because in his own judgment that was exactly what they ought to do. The right hon. Gentleman the Secretary of State for War (Mr. E. Stanhope) came down, on the occasion of the debate on the Military Report, and assured the House, in a tone of military determination, "that the time for action had arrived." In his simplicity he imagined that the right hon. Gentleman was going to get up and say that when the private firms could not supply the Army and Navy, they intended to go into the market for their guns. That, he respectfully submitted, was the logical deduction from the statement of the right hon. Gentleman, "that the time for action had arrived;" but it appeared to him that the authorities were not doing anything to procure the guns which they said they wanted. In this matter he thought the true policy of the Government was to develop the resources of the country, not only as a policy suitable for the moment, but as a policy to fall back upon in case of emergency. They had had some very important evidence upon this matter given before the Army Committee. In the Report of the Committee reference was made by the noble Lord the Member for South Paddington (Lord Randolph Churchill) to a very important document bearing upon this question—namely, the Report of the Gun Foundry Board of the United States. The United States Government had sent Commissioners to Europe to inquire into the methods of supplying guns for the European Powers. The substance of that Report was given by Mr. Brand to the Committee on which the Secretary of State for War sat. That well-known Gentleman was a Member of the House and had for some considerable time occupied the office of Surveyor General of Ordnance. He thought that the Report laid down a principle which they would do well to bear in mind. It was rather a long paragraph, but he would like to quote it for the information of the Committee. It ran as follows:—

"As an example of depending alone on Government works, France was a perfect instance before the Franco-German War. During the period referred to, the Government foundries were the sole source of supply of the armament of the country; the officers charged with the work formed a close corporation; their action was never exposed to the public; their ideas were never subjected to criticism; the ingenuity and inventive talent of the country were ignored and resisted, and no precaution was thought necessary to provide a supply in case of need of re-armament. The result is well known; a great crisis came, the Government works were inadequate to meet the additional demands made upon them, and the patriotic efforts of private establishments were inadequate to produce all the material that was needed. How entirely France has now altered her system is shown in a previous part of this Report; her present practice is theoretically perfect, and it has proved to be practically efficient. Her Government establishments are still retained, but as gun factories simply, in which the parts are machined and assembled, but for foundry work she depends upon the private industries of the country, and many of these works have found it to their profit to establish gun factories, which supplement the Government factories to a large extent."

That was the policy which France was enforced to adopt, and it was to be hoped that we should never be similarly forced to its adoption; but he thought we ought to do something to develop the resources of our own country, and not simply rely on Government establishments. He had ventured to say this on a former occasion, and when he ventured to suggest that they might give orders to private firms for some of our large guns, the right hon. gentleman the Secretary of State for War said that they did not give them because it would require the expenditure of a large sum of money in order to lay down plant. He (Mr. R. W. Duff) admitted that, if they gave an order for three or four guns, this might be the case; but he believed, looking at the demand for guns, that it would not be so, if the Government were in a position to go into the market and encourage industry by giving an order for 30 or 40 guns. He had been assured by those who knew what they were talking about, some of

them Members of the House, conducting large steel factories, that if the right hon. Gentleman the Secretary of State for War or the noble Lord the First Lord of the Admiralty would go to the market and give orders for 20 or 30 guns, they would have some of these private firms competing for them. He had not the least objection to communicate the information which had been given to him to either the noble Lord or the right hon. Gentleman, if they liked to have it. He did not want now to go back to any recriminations as to whose fault it was that the ships were left without guns. They found themselves in a certain state of difficulty. He was not blaming the noble Lord or his Predecessors. They came into Office under extremely embarrassing circumstances; they found the supply of guns short, and the supply of ammunition likewise short. Though he was willing to admit so much, he was afraid there had not been sufficient energy used with the object of getting out of the difficulty in which we were placed; and when the noble Lord spoke of taking so much money regularly for the Navy Vote, he respectfully suggested that before he adopted that policy he must overtake the arrears which had accumulated, because, although the Estimate might be sufficient for the Navy, if we once had it in working order, yet there were large arrears, as pointed out by the Director of Naval Ordnance, before Sir James Stephen's Commission, and, until these were made up, he did not think we should be able to reduce the Vote to what ought to be its normal amount. He had heard something about a Supplementary Estimate, and he ventured to say that, so far from the proposal being extravagant, there could be no policy so extravagant or wasteful as that of keeping first-class ships like the *Collingwood* afloat for two years absolutely at the mercy of any third-rate cruiser with large guns to which she might be opposed. He had never taken the view entertained by the noble and gallant Lord the Member for East Marylebone as to the insufficiency of the Fleet; but he did maintain that we had not a ship too many, and when the ships that were complete were waiting for guns and were short of ammunition, as he had said, no policy would be more wasteful or extravagant. He trusted that, before the Vote was agreed to, they would have some assurance from a Member of the Government that some energetic step would be taken to supply our deficiencies.

LORD CHARLES BERESFORD (Marylebone, E.) said, he had understood that the Votes to be taken to-day were non-contentious Votes, and the appearance of the House showed that hon. Members thought so too, as they did not calculate upon there being any discussion. He could imagine no Vote either for the Army or the Navy which merited more discussion than that which related to ordnance, particularly as they had before them this more or less scandalous Return which had been presented to the House of Commons. With regard to the remarks which had been made by the noble Lord the first Lord of the Admiralty (Lord George Hamilton), he (Lord Charles Beresford) was sorry that this Vote had not come before the Naval Estimates Committee, because he was quite satisfied that they would have had evidence with regard to it quite as curious and as extrordinary as that which had been given on the Shipbuilding Vote before that Committee. Some of the remarks made by the noble Lord were eminently satisfactory. For instance, he thought his determination not to buy a large quantity of stores that were perishable was most excellent. He also agreed with the noble Lord's calculation for the purpose of ascertaining the cost of vessels so far as the armament was concerned, which was also very good; but he would like to be quite clear as to whether he included the cost of reserve ammunition as well as outfit?

LORD GEORGE HAMILTON: We do to a certain extent.

LORD CHARLES BERESFORD: There was no doubt that we were short of guns, as shown by the Return, but the Return did not enter into the question of re-arming, and that calculation, he thought, should be brought before Parliament by a Return which he had promised to move for next Session. There was no doubt that the greatest extravagance was caused by having ships built and finished before the guns which they required were ready for them. The exact opposite ought to be the case; the ships and the guns ought to be ready together, and the pennant ought to be hoisted directly the guns were in position. Not only that, but

every ship in these days with heavy guns, in view of the great increase which had taken place in the charges of powder, should have a reserve, and he hoped his noble Friend would assure the Committee that he had got that idea into his head, and that he saw his way to carry it out. It was most imperative that we should have a reserve of heavy ordnance, for the simple reason that the life of a gun was much shorter now than in former times owing to the heavy charge. One question with regard to ships being kept without their guns. He believed that our guns were being made by two private firms—Messrs. Whitworth and Messrs. Armstrong. Did his noble Friend know of any ship built for a foreign country which was kept without her guns when she was ready for sea? He believed that had been the case with the *Independencia*, but that was the only case of a contract entered into with a private firm for a foreign Government in which the guns were not ready when she was ready for sea. Would his noble Friend assure the Committee whether or no the firms which had entered into contracts to deliver guns at a certain time were delivering any guns to Foreign Governments in the time during which they had promised to deliver their guns to this Government? If his hon. Friend opposite the Member for Banffshire (Mr. R. W. Duff) looked at the Return, he thought he would find that there were nine ships waiting for guns. We were 78 guns short at the date of the Return, and that was a state of affairs which he could not but describe as a scandal. Some of these guns were 22 months, others 12, and some eight months late on the original guaranteed time. The noble Lord, in his Memorandum, stated that a considerable delay had occurred in the delivery of guns in the programme, and that several iron-clads were now waiting for their armaments, and the Dockyard arrangements had been criticized for these delays. He wanted the noble Lord the First Lord of the Admiralty to tell the Committee who was directly responsible for this state of things, because unless they fixed the responsibility on some one, the Committee had no assurance that the same thing would not occur. Further, he asked his noble Friend if there were any pains and penalties to be applied to those contractors who had not delivered their guns in time, because unless they had some sort of penalty in the contract, there was no security for delivery, and it appeared to him that there was no reason why the Government should not do the same as private firms did when they were making contracts. He would ask his noble Friend to tell the Committee what he proposed to do if no steps had been taken in that direction. There were some ships that had not the latest description of guns, and he remembered to have asked his noble Friend to say what he intended to do in re-arming those ships, so as to make them capable of fighting ships with full armaments, and he would like to have some information on that point. The Committee would notice that in the case of the *Anson* and *Immortalité*, there were two guns returned as chase-hooped. He objected to having guns chase-hooped. You never could get the officers or the men to rely on guns that had been doctored in that way. He hoped his noble Friend would get rid of those chase-hooped guns. He knew that if he went out shooting with a gun bandaged up with a lot of hoops he should not feel as happy as if it were otherwise. Again, his noble Friend knew that every ship in the world had got Magazine rifles except their own. Now, it was most important that we should have them too, because, for the purpose of illustration, suppose two ships were coming towards each other at great speed; there was only a moment during which the sights of the rifles could be adjusted to take aim, and it was desirable that during that moment the men behind the rifles should be able to make use of as much ammunition as possible. Every nation in the world had appreciated that, and he now brought it under the consideration of his noble Friend. Then there was the question of smokeless powder. He understood that the French had already smokeless powder for rifles, as well as machine guns. Another point was the question of high explosive, and he again called the attention of the right hon. Gentleman the Secretary of State for War to the Debate of the 8th of March. On that occasion his right hon. Friend rather twitted him on this question of high explosives, and his words were—

"My noble Friend wanted a Royal Commission because the French had got a number of melinite shells."—(3 *Hansard*, [323] 622.)

It was one of the points he brought forward to show that a Commission should inquire into the facts, and the point was a most important one, because ships of the *Admiral* class had a very fair chance before this powerful explosive was put into shells. But now the conditions were altogether altered, when a 30lb. shell charged with melinite was said to be equivalent in respect of explosion and dispersion to a 100lb. shell charged with gunpowder. That showed how anxious naval men were to get this matter thoroughly tested, and why they thought, if this substance turned out to be a most tremendous invention for the destruction of ships and life, they ought to spend money at once, so as to place themselves on the same platform with any other nation with whom they might be called upon to fight. The French Government had, he believed, spent £1,000,000 on this melinite. They had not got a single shell over 30 lbs. which was not filled with it, whereas we had not a single shell filled with a high explosive at all, and he thought it would strengthen the hands of the Government if the Committee were now to consider that very important point. The Secretary of State for War, at his request, had appointed a strong Committee to inquire with respect to this high explosive, but he had never been able to find out what conclusion they had arrived at, although he was informed that the *Resistance* had had her features very much spoilt by an experiment, and had been taken into Portsmouth with some canvas screens on her to hide the effect produced. The Admiralty very properly would not tell him what had occurred. It was proved by the Return, which did not include ships which had to be re-armed, that Messrs. Whitworth and Armstrong were totally unable to supply the guns, without reserves, which the country at that moment ought to possess. It was quite true—there was no doubt in the world that, as the noble Lord had said, we must try to develope the enterprize of the country; but he would point out to the hon. Member for Banffshire that he did not think he would get mercantile gentlemen to start the plant for the manufacture of heavy guns on the mere idea that the Government would buy them. He wanted the Government to say to them—"If you put up the plant to produce guns of 9-inch diameter, and with a certain initial velocity and capacity, we will order a good many." That would only be fair to the man who put up the plant, and he was certain that it would further enterprize to an enormous extent. As the matter stood at that moment it was almost nonsense to think that we were going to get guns any quicker, or much quicker, than we were getting them now if the present arrangements continued. It was quite impossible that the two firms at present engaged could produce all the guns required. He asked his noble Friend if he had observed that in the Report it was stated that the guns returned for chase-hooping had been made at the Royal Gun Factory; and if any guns made at Elswick and by Messrs. Whitworth had been returned? With reference to Woolwich he was strongly against increasing that establishment in any way whatever. Woolwich was necessary to us; but it was, to a great extent, badly organized; it had done good work, but he believed that a good deal of money was wasted by the system under which it was worked. The right hon. Gentleman the Secretary of State for War had made a very satisfactory statement the other day when he said he was going to alter the administration at Woolwich; but he (Lord Charles Beresford) objected to its being increased, as he had said, in any way. He would far rather see a larger number of firms engaged in making guns for the Army and Navy, and he was sure it would be very much to the advantage of the country and the Navy to start that plan. With regard to the reserve ammunition, the noble Lord had told them that this was very incomplete. As far as the ordnance stores were concerned which had been put on board the Fleet engaged in the present most interesting manœuvres, which he was sure would do a large amount of good by enabling the authorities to find out what was weak, his noble Friend said that with the exception of the small gun ammunition he was satisfied with the result of placing them on board. He hoped his noble Friend would be careful to give orders that everything that was found short should be supplied within three months. Under the old sys-

tem the War Office gave the Admiralty a list of the stores required, but that was a theoretical and he liked a practical plan, and he would therefore express a hope that his noble Friend would assure him that everything that was short should not be put on paper, but actually taken from store and put on board the ship so that the officers might see them in their places. In a great country like this, in which we had so much enterprize and invention, we ought to have a council of some sort to devote themselves to the examination of inventions, because he was certain that it would save the country a large amount of money. He believed that the country had on many occasions lost the benefit of inventions through being unable to keep pace with what was going on, because we had not a council of this description to recognize this important question. Such a council would cost very little money and would have secured to the country the use of many valuable inventions. He might mention three cases in which a considerable amount of money would have been saved if such a council had been in existence—namely, the case of the Maxim gun, the Whitehead torpedo, and milinite, of which latter the French now had a large quantity. He put that suggestion forward for his consideration. He had been very glad to notice that his noble Friend had not made use of the old statement, that we were better and stronger than we were many years ago, and he earnestly hoped that they would never hear that argument again. We wanted to know how we stood at the moment with reference to the work that had been done. Of course, we were in a better position now than we were years ago, but that was altogether beside the argument. He hoped his noble Friend would not give them any more Returns such as he had given them relative to the Navy of England as contrasted with the Navies of other countries. With that Return he found great fault in many particulars, but most with regard to the way his noble Friend mentioned the *Lord Warden* and the *Repulse* as two line-of-battle ships, because, as a matter of fact, these two vessels were in the auction lists to be sold for old iron. He hoped his noble Friend would give them a Return of the different classes of guns we had in the Navy, because there was an enormous waste going on in consequence of the number of different classes of guns, which he believed numbered 79 or 80. We had not only different classes of guns, breechloaders and muzzleloaders, Armstrong's and Whitworth's, but we had different classes of these guns to the number he had mentioned, the result being a condition of things most puzzling, expensive, and altogether wrong. Therefore, he hoped his noble Friend would give a Return showing how we stood at that moment with respect to guns, because he believed it would strengthen the demand for a larger number of firms to supply the wants of the Government. Then, would his noble Friend tell the Committee who was practically responsible for the Armament Vote of the Navy, because even from what he had just said he could not understand whether it was the right hon. Gentleman the Secretary of State for War or his noble Friend? If the responsibility was divided he hoped that would be put an end to. Let there be one man responsible for the guns and ammunition for the Navy. The Navy ought to be able to say—"We want such and such a gun and such and such ammunition. We will put the work up for tender, accurately laying down the conditions;" and then they ought to be allowed to get the gun where they liked. But there must not be this divided responsibility, which promoted friction, and could not be for the benefit of the Service. He would recapitulate the points on which he asked for information. What steps were being taken with reference to the use of high explosives; what steps were being taken to provide magazine rifles for the Navy; was anything being done to supply smokeless powder for rifles and machine guns; what was being done to avoid in future the scandal of ships being without their armaments; and was there any proposal for completing the reserve of heavy ordnance for the Fleet? To save trouble he would hand his noble Friend a list of these questions, and conclude his remarks by saying that his great anxiety to see these things dealt with in a right manner was shared by every one of his brother officers of the Fleet, and who were entirely agreed upon the subject.

MR. SHAW LEFEVRE (Bradford, Central) said, he did not propose to enter into a controversy as to the particular requirements of the Navy with

respect to guns at that moment; but he wanted to point out that there had been an enormous increase in this Vote of late years, a fact which was deserving of the most serious consideration by the Committee. He found that in 1881 the Vote was £418,000, and that the average Vote during the past four years was greatly in excess of the average for the preceding years. The Vote for the coming year was £1,700,000 more than the sum anticipated by Lord Northbrook in 1886, yet only £460,000 was to be spent on guns, while £943,000 was to be spent on projectiles. He could not but hope that the time would come when there would be a very considerable economy made in respect of this Vote. He could not believe, whereas in the three years 1882, 1883, and 1884, £670,000 had been the average yearly sum required, that in the coming year there should be required £2,100,000. It might be desirable to spend the large sum now asked for in order to bring the Service up to a proper point, but he hoped the time was not far distant when there might be a great economy upon the Vote. He quite agreed that it would be better to encourage private firms than to increase the Establishment at Woolwich. There were many arguments against increasing the Government Establishments and in favour of relying more to meet increasing wants on the manufacture by private firms of guns, of ammunition, and other requirements of our great Services, but his main object was to point out the very large growth of expenditure. Most of it, he believed, had been necessary to bring up the Services to efficiency; but the idea should not be allowed to prevail that that was the normal rate of expenditure, and he hoped soon to see a reduction in the amount of the Vote.

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) said, he did not wish for a moment to deny the increase in late years of the amount of the Ordnance Vote. There were certain years between 1882 and 1885 when the Vote was considerably less than it was at present; but it was partly because of the reductions in those years that an increased demand became necessary in later years to meet deficiencies. But he did not wish to go into that subject; it was rather a fruitful field of political controversy. He would avoid all comment in the direction of apportioning blame or responsibility to preceding Administrations, and he recognized that what the country now required was that some reason should be given in justification of the present demands. Addressing himself to the questions that had been asked, he had first to say as to the share of the responsibility of the Army and Navy Departments in regard to the Vote, that it had been fully explained that responsibility could not be absolute and complete until full information had been collected and put into the possession of the Admiralty; and when the Admiralty was in possession of that full information, as soon they would be, then the Admiralty would be in a position to prepare and to vouch for the amount of the Vote for the armament of the Navy. He was asked what steps had been taken towards the issue of the new magazine rifle? He had already stated the cause of the delay, and was sorry to say the trial issue had not yet been made to the Navy. But he hoped it would only be a few days before rifles were selected and issued. No suggestion had yet been made to lead to the belief that any delay would be necessary for the alteration of sights. Experiments with the new explosive shells had been made, and had been, on the whole, thoroughly satisfactory. Several points remained for decision by the experts who were going on with the trials, and speaking for the Land Services, he could say that the new ammunition would add materially to the power of the guns. As to the smokeless powder, that was not in so forward a condition; but experiments were being made, and he hoped and believed that the Committee now sitting, to which his noble Friend (Lord Charles Beresford) had referred, would before long recommend a smokeless powder which could be used for both guns and rifles. Undoubtedly, the largest question that had been raised was in reference to the supply of guns. That ships should be ready, and no armament to put in them, was a scandalous state of affairs. ["Hear, hear!"] He fully admitted that. To that subject the Government had addressed itself, with the desire, in the first place, of ascertaining all the causes of delay and the endeavour to remedy the causes one by one. The first cause was that guns were not

ordered in time. There had been cases in which ships were laid down, and the guns for their full armament not ordered until the building was far advanced.

MR. R. W. DUFF asked, was not that during the period when the Ordnance Department had not made up their minds as to what the guns should be?

MR. E. STANHOPE said, he did not know that that was so. He found instances in which a portion of the guns were ordered, but not the whole, though, of course, all would be wanted at the same time. But he did not want to enter into this controversy. They had taken care to remedy that cause of delay by laying down the rule that whenever a ship was ordered her armament should be ordered at the same time. Then, again, in the proving of the guns, there had been a fruitful source of delay. There was little reason for that, because there was a fine space available for the purpose at Shoeburyness. They had provided for enlarging the facilities there, and for a reserve ground for proving ammunition, and had hopes that this cause of delay would be removed. A third cause of delay, and it occurred both with the contractors and with the Royal Gun Factory, was the under estimate of the time required for the completion of guns. He did not think that the one or the other was free from blame in this matter; but when his noble Friend asked whether the Government contracts were postponed in favour of foreign orders, he would say, without going into the matter at length, that all contractors employed by the War Department, or likely to be employed, were and would be impressed with the necessity of giving precedence to the English orders. Delay had also arisen from defects discovered in the liners. Undoubtedly liners had failed in many cases, and the failures had been due partly to errors in design and partly to defective material. The failures had caused delay, but it must be admitted that they were not so serious as a failure in the gun itself; for the gun would not necessarily be rendered unserviceable in actual warfare. Yet, he admitted that it was a reflection on the system of designing that called for the close attention of the Government. He hoped and believed that the difficulty in respect to liners was in course of being overcome; he hoped and believed that they had arrived at a design that in future results, in the manufacture of all guns for the Army and Navy, would not give rise to complaints that had arisen in regard to liners of guns during the last two or three years. In future, the penalty that attached to delay in the execution of contracts would be exacted without distinction, unless reasonable ground could be shown for delay. In the course of the inquiry that had been made, no effort had been spared to arrive at a knowledge of the resources of the country to supply guns for land and sea service. The Committee should be aware that the Government did not depend upon Woolwich, though that might have been gathered from some of the speeches that had been made. On the contrary, a comparatively small proportion was derived from that source. A large proportion was drawn from the Elswick and Whitworth works. Inquiry had also been made into the producing capacity of the country generally, and conclusions had been arrived at as to opening new sources of supply. The Government had now full knowledge on the subject; they knew the capacity at Woolwich, at the Elswick and the Whitworth factories, and the difficulties that attached to the production of guns at each. The Government factory might be able to produce many more big guns but for the fact that it was also a repairing establishment for the Army and Navy, and much interruption was caused to the work of production by the machines being used for guns sent for repair. This had to be reckoned upon in the work at Woolwich, and so they were very anxious not to overload that Establishment, but to increase the production by private firms. To create new sources of supply required an enormous amount of capital. The turning out of big guns required much time and expensive machinery, and after all the Government were by no means sure that the new producer had at command the necessary mechanical ingenuity and facilities for the work. Acting on the information they had acquired, the Government had ordered all the guns required for the Army and Navy, or had invited tenders from all those firms who had expressed their willingness to enter into the manufacture. He did not know that more than

one or two would accept the conditions attached to a contract; but they had endeavoured to increase the sources of supply to the greatest possible extent. The work of the Department under this head for the last few years might be described as stupendous. In the present year alone, the amount of ordnance stores the War Department was called upon to inspect equalled a value of between £4,000,000 and £5,000,000 sterling, an enormous responsibility for any Department. It was, however, accepted with an earnest intention to discharge the duty to the fullest extent, and he believed the arrangements made would materially facilitate the work, and that the Committee might rest assured that the obligations of the Department to meet the requirements of the Service should be fulfilled so far as it was humanly possible they could be.

MR. HANBURY (Preston) said, the discussion had hitherto been carried on between officials and ex-officials; but he felt sure that if Parliament was to exercise proper control over the Army and Navy expenditure, that outsiders should pay some attention to details. He felt sure that, with the exception of his noble Friend (Lord Charles Beresford), the Committee was not likely to get effective criticism from ex-officials. He would give his attention to two points raised by his noble Friend in relation to the actual condition of the guns in the Navy at the moment. He was not going to speak of the fact that these guns were generally late in delivery, and that after delivery they often burst; he would draw attention to a more serious question than those—to the great number of different sorts of guns in use in the Army and Navy. He believed that, as a matter of fact, there were no less than 170 different sorts of guns in use in the Army and Navy. Without going into this as regarded the Army, in the Navy there were 70 different sorts, and the variety extended over both old guns and the more modern weapons. Taking the old rifled muzzle-loaders, that formed the great bulk of guns in the Navy, there were 22 different sorts, and coming to later manufacture, and taking the modern breechloaders, the astonishing fact in regard to these was that at the present moment we had in the Navy 28 different kinds. That would be bad enough if those 28 differed so markedly that there could be no doubt as to the ammunition required; but, as a matter of fact, in most instances they differed in the bore by such a minute shade that, in time of warfare, there would be the greatest possible danger of mistake being made in the ammunition sent for the guns. In the 12-inch modern naval guns there were five different "marks," as they were called, every one of them requiring different ammunition, and varying only in the slightest degree. What had been said by his noble Friend, a few minutes ago, would prove to be the fact. In the 8-inch guns there were seven different marks; but he would not say here that every one did absolutely require different ammunition. In the 6-inch guns, again, there were five different marks. If that was the state of the case, it disclosed an alarming state of things indeed, and required correction without delay. As to the responsibility for it, he would not raise that question now, it could be better discussed upon the Army Estimates, and in the autumn there must be a serious inquiry, and if it was not possible to trace the responsibility home to any subordinate, then they must go right up to the head of the office, the Director of Artillery himself. Another question raised by the noble Lord was the responsibility for that Vote. When the Estimates were framed, who was responsible for taking this particular sum of £1,800,000, and who was responsible for the Vote or the day it was presented to Parliament? As he understood, the Secretary of State for War still took a certain amount of responsibility. Was that so?

MR. E. STANHOPE said, undoubtedly he took a certain amount of responsibility. There was no doubt the War Department would continue responsible as to the manufacturing stage of the guns; and, as regarded the Estimates, they would have a certain amount of responsibility for the stores not separated. There had not been complete division between the Naval and other Departments to enable either to take the exclusive responsibility.

MR. HANBURY said, what he wanted to get at was the responsibility for the sufficiency of the Vote. In the Report of the Committee it was said the Admiralty was responsible to Parliament for the sufficiency of warlike stores for the Navy. If that was the conten-

tion, as it was when the Report was presented, and that was still the opinion of the Secretary of State for War, then for the sufficiency of the Vote the Admiralty was wholly and solely responsible. But, unfortunately, that was not the opinion of the noble Lord at the head of the Admiralty. For, in answer to a Question on the subject, the noble Lord said the Admiralty had only accepted responsibility in reference to Ordnance stores, of which they had full information, and that position was made clear by the departmental correspondence on the subject. To this, however, the Estimates Committee did not appear to attach much importance when they reported that the Admiralty was solely responsible.

MR. E. STANHOPE said, that correspondence was not presented until after the Report was made.

MR. HANBURY said, he wanted to know who was responsible for the Estimates when framed, for, as a matter of fact, the Admiralty had no information on which to frame the estimate for the Ordnance Vote. What was the state of facts when the Estimate was presented? The First Lord of the Admiralty said no complete statement of moneys received and expended had been furnished. What did that mean? It meant clearly enough that the Admiralty at that time did not know how the War Office had expended the money received for naval stores. He believed the difference between the money voted by the House in past years for the use of the Navy, and the amount of guns and other stores, which the War Office could account for at the moment, was something over £1,000,000 sterling. The First Lord of the Admiralty said at the time the Admiralty was supposed to be responsible for the Vote, that he had no complete information as to guns at the War Office belonging to the Admiralty, no information as to ammunition and other naval stores, or liabilities incurred, or guns ordered, or the amount that would have to be paid out of the amount provided by Parliament that year. He would like to ask a further question—Was it a fact that the money was asked for at that moment by the Admiralty, without knowledge of the facts of the case and what were the ordinary requirements of the Navy in times of peace, for the accounts had never passed through the Admiralty—was it the fact that the Admiralty cut down the amount that the War Office told them was necessary for the naval ordnance for the year by nearly one-half? The War Office said considerably more than £3,000,000—he believed £3,400,000 was the sum—would be required; but the Admiralty only asked for a little over £1,750,000. He wanted to know, if that was the case, who was responsible, in the face of the opinion of the War Office and without knowledge, for cutting down the Vote by £1,750,000? Was it a fact that the Director of Naval Ordnance—who, at the Admiralty, was the person mainly responsible—had declined responsibility for the Vote? He asked that, because he put a Question to the First Lord of the Admiralty the other day, and the answer he got was an evasive one. Was it the fact that the Director of Naval Ordnance would not accept responsibility for the Vote if it was kept at its present figure? He wished further to know, was it the fact that the First Lord of the Admiralty had, a month ago, sanctioned the expenditure of nearly £750,000 in excess of the present Vote? If that were the case, then he ought at once to submit a Supplementary Estimate to the House. It would not do to go on spending money out of savings. When the Admiralty made up their mind to additional expenditure—especially when it was to the tune of £750,000—a Supplementary Estimate should be presented at once, that the House might know what was being spent. Even at the present moment, the Admiralty had no information of any value from the War Office as to what stores the War Department had on hand belonging to the Admiralty. He believed, as a matter of fact, they had recently obtained information as to guns—that was to say, the Return as to guns was complete—though he believed the Return was more complete than the guns themselves were, and very few belonging to the Admiralty would be found at the War Department. Of ammunition and naval stores, the First Lord of the Admiralty said he had not got information.

LORD GEORGE HAMILTON: Not complete information.

MR. HANBURY: Not complete information was the official phrase, and

the Admiralty would not get it until the 10th September. But he rather gathered that the information would not be forthcoming until the end of the financial year. He should like to know whether the date had been postponed to the end of the financial year? It would seem, from what had been stated in answer to Questions, that no accounts had been rendered of the amounts voted and the actual expenditure of the War Office for naval purposes. A sum had been voted in the Estimates for a supply of Morris's Tubes for the Navy, but when the Admiralty required them, there was not a single one to be had. The money had been voted, the tubes were not in stock, and the Navy had not had them. He hoped some information on matters of this kind would be forthcoming. There appeared to be somebody at the War Office who did not understand his duty in regard to War Office expenditure for Admiralty purposes. One other thing he would mention to show how this difficulty affected, even in small things, the condition of the Admiralty at the present moment. He had asked a Question of the noble Lord at the head of the Admiralty, about a month ago, as to what ammunition there was in store for the 111-ton guns in the *Benbow*, he (Mr. Hanbury) having the best possible information that the ammunition in store for these guns was of a very limited character. He would not go so far as to say that there were only seven shells in existence, but there were not much more, and what there were were of an experimental character. The noble Lord the First Lord of the Admiralty, in reply, told him that there was an ample supply in store. He desired to ask the noble Lord, who gave him that information? Did it come from the War Office or from the Admiralty? He had reason to believe it incorrect, for within the last few weeks the first contract given out for the ammunition for the guns in the *Benbow* was given to Messrs. Armstrong, and before that time none whatever had been supplied. He thought it most important that even if they could not fix responsibility upon individuals in the Government Offices, at any rate, when a Vote was presented to this House, they ought to know for a certainty what Department was responsible for it. At the present moment, however, it was utterly impossible, from what had been said by the noble Lord the First Lord of the Admiralty on the one hand, and the right hon. Gentleman the Secretary of State for War on the other, to tell upon whose responsibility they were going to vote the money. He did not think the time of the House had been wasted in discussing this matter if only they could get out clearly, either from the right hon. Gentleman or the noble Lord, how this matter stood—whether the Admiralty in putting forward this Vote had any information to go upon as to what were the amounts of ammunition in store in the hands of the Navy and War Office? They ought to get some information as to whether it was the noble Lord the First Lord of the Admiralty or the right hon. Gentleman the Secretary of State for War who was responsible.

SIR WILLIAM PLOWDEN (Wolverhampton, W.) said, he did not think the Committee was in a satisfactory position with regard to the Vote they were discussing. It certainly seemed to him that the observations of the noble and gallant Lord (Lord Charles Beresford) were most justifiable, the Government having no business to bring forward this Vote at the present time. They might have dealt with this as a matter on account, and they had no right to ask the House to vote such a large sum of money straight off. What was the position of the House in this matter? They had been told in debate by the noble Lord the First Lord of the Admiralty (Lord George Hamilton) that he assumed responsibility for the sufficiency of money for the guns, but not for the ammunition; then, on the other hand, they had the right hon. Gentleman the Secretary of State for War (Mr. E. Stanhope) telling them that he had been partially responsible for the framing of these Estimates; but, at the same time, they heard from both these officials that they were neither of them thoroughly well aware as to what was the ammunition to which they were called upon to vote, there being at present no reserve in store. It was impossible that satisfactory Estimates could be framed when there was no satisfactory basis upon which to go. It was clear that the information they possessed was sadly deficient. No doubt the Government were doing their best to relieve themselves from the

serious difficulties by which they were surrounded; still the position was altogether unsatisfactory. He had been very much interested in the remarks which had fallen from the right hon. Gentleman the Secretary of State for War, especially when he turned his attention to the subject of the liners of the coast. He would ask the right hon. Gentleman, in connection with that subject, whether he had considered the possibility of doing without these objectionable liners? He (Sir William Plowden) asked that question because he was given to understand, on high authority, that guns of large calibre were absolutely in use in our Colonies without liners, and that experts were quite satisfied with the condition of those guns. They considered that the liners were a sort of insurance enabling them to look forward to a longer life for the guns; but considering what great demands were made upon our military strength, it was perhaps not desirable that we should look forward to a very extended life for guns of this description, if in order to insure this long life we had to undergo the inconvenience of these liners constantly failing us, not in consequence of the weakness of the guns, but through the fault of the liners themselves. If it was the experience of the Colonies that these large guns could be used perfectly well without liners, he trusted that the responsible officers at home would be able to accept that view. There was another matter to be carefully considered—namely, the insufficiency of our naval armaments and the almost impossibility of supplying the needs we have in the short time which was before us. As he understood the Vote before the Committee, they had now £400,000 and odd to spend on guns, and a much larger sum to spend on ammunition. This £400,000 and odd was not at all sufficient to provide our naval equipment, and a much larger sum than that had apparently been taken, if we were to trust what had been told them just now as to what happened in the Admiralty and War Office—much larger sums than had been estimated for had actually been expended in construction. He hoped that some Authority from amongst those in Office would give them an assurance, first of all, that the ammunition stores now in existence were thoroughly overhauled, and that the Government were fully aware of what their present position was, and, in the next place, they had provided, or were providing now, for the safety of our country, especially in regard to our naval guns.

MR. ANDERSON (Elgin and Nairn): I beg to move, Sir, that you now report Progress and ask leave to sit again.

THE CHAIRMAN called upon Lord GEORGE HAMILTON.

LORD GEORGE HAMILTON: I should like to make a short reply to the hon. Baronet who has just sat down, and the hon. Member for Preston (Mr. Hanbury). I think that both the hon. Baronet as well as the hon. Member for Preston have been somewhat hypercritical in some of their observations. A great transfer has taken place from one Department to another as to responsibility for this Vote, and the result in that transfer had been to solve a certain number of difficulties and to place other unsolved difficulties in a position in which they are much more likely to be solved than they would have been if the transfer had never taken place. Therefore, we stand in a better position than we should have been in if the transfer had not been effected. But when transfers of this kind take place in a Government Department it is utterly impossible at once to allocate every particle of responsibility to one authority in regard to that for which hitherto two Departments have been held responsible. I do not feel responsible so far as the adequacy of the stores is concerned, for hitherto I have not had full information upon the matter, although I hope to have it by the month of September. The transfer was deliberately made before full information was obtained, because we believe that by making the transfer, even in the absence of complete information, we should be taking a step which would bring about a solution of the difficulties I have enumerated. We have, however, sufficient information concerning the stores to make one thing perfectly clear—namely, that the Vote we are taking is far more than is necessary to meet the normal wants of the year.

SIR WILLIAM PLOWDEN: As regards stores?

LORD GEORGE HAMILTON: Yes; as regards stores. And we have acquired this further information since the Vote has been under consideration—that the amount of money taken last year

was more than Woolwich could earn. That being so, I have taken the course which common sense would suggest, and have given a larger number of orders than last year in order that the contractors may, if possible, earn the sum that has been taken. I cannot yet say that we shall want a Supplementary Estimate. It is likely I shall not; but, if the contractors perform their work more quickly that they did last year, we may want one. Until, however, it is proved that the money will be required, it would be a waste of time to ask the House to vote it. My right hon. Friend the Secretary of State for War (Mr. E. Stanhope) is responsible for the manufacture and storage of guns and ammunition, and the Admiralty is responsible for the demands made by the Navy. The hon. Member for Preston has very much over-stated the lack of information from which he says we are suffering. We have complete information concerning everything except the reserve of stores in Home waters, upon which subject, it is true, we have not complete information. We have every gun that is required for every ship built or in course of construction. We have, however, this year, 28 heavy guns, and that number has been in process of construction. Eighteen more have since been ordered, making 46 heavy guns of about 9-inch calibre, and the total number of guns in course of construction is 273, which does not include quick-firing guns. Then what my hon. Friend went on to say was rather to complain that we ought not to have brought about the transfer until we had complete information, not only as to our liabilities, but as to the operation of all moneys voted in the past. But if we had waited for that information, we should have been obliged to postpone the reform which has been brought about for a year. It seemed more practical to us to accelerate the great necessary reform, even though the transfer it involved had to be carried out without complete information as to details. Then I am asked as to the variety of patterns of guns in the Service. The one subject to which the Board of Admiralty and the Director of Naval Ordnance pay great attention, is the desirability of not introducing any gun of a new calibre in the Service unless it is absolutely essential. But what my hon. Friend has called different calibre is really different marks of the same calibre. Many guns, though the same calibre, have different marks of different calibre, so that guns, though marked the same calibre, may not really be the same calibre.

MR. HANBURY: You may put too strong a charge into a particular gun.

LORD GEORGE HAMILTON: Of course you can do that, and, if you did, of course the result might be disastrous. But my hon. Friend assumes that all the charges for these guns are made up according to the calibres of the guns, and that they are conveyed to the ships carrying guns of a certain calibre altogether irrespective of the class or mark of gun supplied. But that is not the case. My hon. Friend has been misled in this matter. There always will and must be different marks to different guns, each mark being supposed to indicate an improvement upon that which preceded it, and, of course, the ammunition is supplied to a gun according to its mark. There are five marks of 12-inch guns, for instance, each requiring a different ammunition. Of course, care is taken when the marks are interchangeable, to see that the ammunition is interchangeable. I endorse all the remarks made by my right hon. Friend the Secretary of State for War. We feel that until the Ordnance Vote, both for the Army and the Navy, is finally brought into a satisfactory state, the efficiency of both Services will be seriously impaired. It is our duty to give our constant attention to improving and perfecting the system which is in force. To that task we are giving our best attention, and I am confident that when this Vote comes before the House next year, the statement I will have to make will be more satisfactory than the present.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I desire to make an appeal to the Committee. It will be a matter of very serious inconvenience to the Public Service unless we get these Votes almost immediately, and certainly in the course of the present Sitting. I earnestly, therefore, entreat hon. Gentlemen to be so good as to reserve any further observations they may wish to make upon this Vote, and the others which follow it, until the Report stage, when they will have an opportunity for

discussion. Great inconvenience to the Services will ensue if we do not get the Votes this evening. There is an absolute necessity for them; and I, therefore, trust that hon. Gentlemen will assist the Government in obtaining them.

MR. ANDERSON: I move to report Progress, in consequence of the understanding entered into with the Government this morning that a certain time to-day should be devoted to the discussion of Scotch Business.

THE CHAIRMAN: It is possible that the appeal of the right hon. Gentleman the First Lord of the Treasury may succeed, and, therefore, it would be unnecessary for the hon. Member to move to report Progress.

Vote *agreed to.*

(7.) £119,500, Medical Establishment and Services.

MR. W. G. CAVENDISH BENTINCK (Penryn and Falmouth) said, he understood the right hon. Gentleman the Leader of the House (Mr. W. H. Smith) to say that hon. Members would be able to go into these matters on Report; and by that he understood the right hon. Gentleman to imply that the Report stage would be put down at an early period of the evening.

MR. W. H. SMITH: Yes; as the Second Order on Monday.

Vote *agreed to.*

(8.) £376,300, Works, Buildings and Repairs, at Home and Abroad.

(9.) 55,000, Scientific Services.

(10.) £721,000, Reserved and Retired Pay.

(11.) £743,600, Naval Pensions and Allowances.

(12.) £168,500, Widows' Pensions and Compassionate Allowances.

(13.) 330,800, Civil Pensions and Gratuities.

Resolutions to be reported upon *Monday* next.

Committee to sit again upon *Monday* next.

SUPPLY.—REPORT.

Resolution [3rd August] *reported.*

Resolution read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

Mr. W. H. Smith

MR. ANDERSON (Elgin and Nairn) said, he desired to call attention to the manner in which Scotch Business had been conducted in Parliament during the present Session. The country had been told that the present Session was to be an English and Scotch Session; but nobody would deny that practically, so far as Scotch Business was concerned, the present Session had been an absolute and entire blank. One of the measures promised in the Queen's Speech was the Burgh Police Bill, and another was the Universities Bill, and there was also a promise that some action would be taken with respect to the cost of Private Bill legislation. There were several questions also which he thought the Secretary for Scotland ought to have taken in hand. There was, for instance, the question of the rents now being enforced under leases in Scotland. He (Mr. Anderson) had brought that matter before the House; but it was treated in the manner in which most Scotch questions were treated, and put on one side. The Government informed him that, though they sympathized with the tenants, the landlords were also sufferers, and they did not intend to legislate on the question. He referred to the Clanricardes of Scotland, who insisted on carrying out their bonds under their leases, and he was sorry to say there were many of them. On that subject nothing whatever had been done by the Government. They were told that a Scotch Fishery Bill had actually been drafted. He wanted to know why, if that were so, the Bill had not been introduced? In fact, it was promised before Easter. The condition of affairs was very unsatisfactory, because some proprietors were setting up a claim to stop fishing for salmon and trout in the upper waters of rivers, usurping rights which they did not really possess, and were practically denuding the upper portions of the rivers by netting to an extraordinary extent. There was another fishery question which affected the people at large, the prohibition of the fishing for trout in various rivers in Scotland. Considering the enormous rights the proprietors of salmon fisheries had appropriated to themselves, he thought it was a cruel thing for them, where the people had exercised the right of fishing for trout without restriction, to now prevent this very harmless fish-

ing. How could it interfere with the privileges of the Duke of Richmond that certain persons wanted to go out on a summer evening to fish for trout at Fochabers? Upon that subject no legislation had come forward. There was another point. Everybody knew that the Scotch Fishery Board had proved an entire failure, and the Government had promised to take that matter into their serious consideration. The number of things the Government had taken into their serious consideration was perfectly wonderful; but the results of this serious consideration were absolutely *nil*. The First Lord of the Treasury told them months ago that the Fishery Board was to be re-organized; but what had been done? Nothing. The fishermen in England had been more fortunate, because the Government had brought in a measure for the purpose of creating Local Fishery Boards; but they had not made any of the proposals that were necessary for Scotland. Then there was the Crofter Question. The Government knew that the greatest injustice existed in counties which were not covered by the Crofters Act, and it was one of the first duties of the Government to bring in legislation on the subject. He supposed it would be said that the Government had agreed to the Reference of the Committee on Small Holdings being extended to Scotland, and he hoped some good might come of it. But even here the Government was to blame; for why had Scotland not been properly represented on that Committee? So little attention did Scotland get from Government on this subject, that actually it was appointed without a single Scotch County Member being upon it. How did that want of attention to Scotch Business come about? Who was responsible for it? They had a very expensive Staff for Scotch Business. There was the Secretary for Scotland, who received £2,000 a-year, and what did he do? Where were the Bills that he ought to have produced? In that House they never saw the Secretary for Scotland, because he was in "another" and better place. That was one of the disadvantages they laboured under in that House—they could not have access to the Secretary for Scotland by speaking to him and asking him Questions. What happened was that the Executive Business of Scotland, which, of course, was conducted in that House, was entrusted to the right hon. and learned Gentleman the Lord Advocate. Let the House think what was the position of the Lord Advocate. Individually and officially he was not responsible for the Executive work in Scotland, and when they asked the Lord Advocate any Question with regard to the general administration of Scotland, all he could do was to act as the mouthpiece of the Secretary for Scotland (the Marquess of Lothian). That was a very humble position for the Lord Advocate to occupy. When Questions were asked they were placed in a great difficulty. The Lord Advocate rose and read out an answer from some Paper which he got from the Scotch Office. When they tried to get further information, the Lord Advocate very often rose from his seat and asked for Notice of the Question. Inasmuch as those were functions of the Lord Advocate, he seriously asked this question—What was the use of having a Lord Advocate in that House?—because, as he understood, the Lord Advocate had very important legal functions to pursue in Scotland. His legal duties were in Edinburgh. He was the Legal Administrator, but the Government went through the form of having upon the Treasury Bench a right hon. and learned gentleman who had no information as to the various matters concerning the government of Scotland, and what he did was simply to read out certain answers sent from the Secretary for Scotland's Office. They had reason for complaint even with regard to the Lord Advocate's legal position. The Lord Advocate had on several occasions during that Session refused to give information on legal questions. He had always understood that the Law Officers should give information to the House upon legal questions; but the position and attitude of the right hon. and learned Gentleman was this—He was satisfied, so far as the administration of Scotland was concerned, that he had nothing to do except read out answers to Questions, and he actually refused to do that which he (Mr. Anderson) contended the right hon. and learned Gentleman was bound to do—give information upon important legal questions involving the public affairs of Scotland. That was the position the right hon. and learned Gentleman had asserted on several occasions, especially

in regard to the Crown rights in salmon fisheries. There was a large community to whom that question was interesting; but the Lord Advocate's reply was—"You may read the Act of Parliament for yourselves, and find out for yourselves." That was a monstrous way for the Lord Advocate to treat the Members of the House of Commons. What did they pay the Lord Advocate his enormous salary for? He sat on the Treasury Bench, and it gave them great pleasure to see him in the House; but he represented most truthfully one of the unemployed Members of the Government. Acting in the interests of the ratepayers, he (Mr. Anderson) protested against paying the Secretary for Scotland the high salary of £2,000 a year, and the Lord Advocate was absolutely wasting his time in doing nothing. There was another Member of the Government who was called our David—the Solicitor General for Scotland—what was he doing in the House of Commons? He, no doubt, assisted the Government with very able speeches on Irish Questions; but he did not think they should pay the Solicitor General and the Lord Advocate these high salaries, because their function was to attend to Scotch Business. They had three Officials for Scotland—the Secretary for Scotland, the Lord Advocate, and the Solicitor General—who seemed to combine together to do as little as possible for very considerable salaries. That was a thing that had gone on long enough, and ought to be stopped. Here they were at the end of a long Session, and about to pay these enormous salaries with nothing done, and only vague promises of something in the future. The Government so treated with contempt Scotch Business, that now it was said, as a sort of act of grace, they might have a half-day on Wednesday to discuss those two miserable Bills which were not original, but had been found by the Government on the shelves of their office, when they came into power. His (Mr. Anderson's) object in addressing the House was to place on record his views of the conduct of Scotch Business.

Mr. WALLACE (Edinburgh, E.) said, he wished to take that opportunity of saying a few words as to the position in which Scottish Business stood in that House at the present moment. He considered that position to be one of the most deplorable character—dishonourable not only to Scotland, but to that House, and to the managers of Business in that House. Making a selection among the offenders in connection with this state of things, he thought that his hon. and learned Friend (Mr. Anderson) had been felicitous in fixing upon the Secretary for Scotland (the Marquess of Lothian) and his Coadjutor in that House, the right hon. and learned Lord Advocate (Mr. J. H. A. Macdonald). Now, in speaking on that question, he (Mr. Wallace) did not wish to say one word unkindly or discourteous either of Lord Lothian or the right hon. and learned Lord Advocate. They knew them, and respected them privately as most courteous and honourable Gentlemen. But, setting aside their personalities, and looking at them simply as public characters, he wished to have every possible freedom on the present occasion in discussing them. The fact he wished to fix upon was the general position of Scottish Business at the present moment under the action of the Secretary for Scotland—the most disappointing action, considering the hopes entertained in Scotland when his great Office was created. Under that action Scottish Business, Scottish Members, and Scotland altogether, to his mind, had now reached the very lowest level of contempt. In every deep, it was said, there was a lower still, but that was simply a comparative statement. They must touch bottom some time, and he thought they had very nearly reached it in the present Session. He saw the two Representatives of Scotland on the Government Bench smiling incredulously at that description of matters.

The LORD ADVOCATE (Mr. J. H. A. Macdonald) (Edinburgh and St. Andrew's Universities): No, no.

Mr. WALLACE said, he was glad that these Gentlemen were in accord with him. Looking at the present state of the House, he asked if it was not the most complete and graphic description of the utter contempt in which Scottish discussions and Scottish Business were held that could possibly be afforded? What were they there? *Rari nantes in gurgite vasto*, and simply because it was a Scottish discussion that was on. Accordingly, he did not think he needed to file proof that Scottish

Business now had really sunk to a level of contempt below which they had, at all events, the melancholy satisfaction of reflecting that it could not descend. At the same time, he thought it was proper, for practical purposes, that they should try and understand the causes and the reasons for this. The right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith), who ought to have been present on that occasion, had often professed an interest in Scotland. Five or six months ago he heard the right hon. Gentleman describe Scotland in a deprecatory tone as an interesting portion of the Empire. Well, it might be so; but it did not seem to be very interesting to the right hon. Gentleman, otherwise he would have been present that day to verify his description. The statement made by the right hon. Gentleman the First Lord of the Treasury yesterday seemed to him (Mr. Wallace), if people would properly understand it, to be an awful one. Scotland was a community of some importance — he would not say in the world, but in the Empire. At all events, the Scottish people were an aggregate of human beings who had ordinary human rights, and who required to have attention paid to their interests, and who, moreover, paid, according to their ability, a considerable portion of the Revenue of this Empire, and, in point of individual responsibility, they really contributed the most highly per head to the Revenue of this country. He wished, however, to move upon a higher level than that of paying taxes. He wished to put the discussion upon what he would call a national level, ubon the claims of an historic, important, and progressive nation. The manner in which Scottish Business was treated by the right hon. Gentleman the First Lord of the Treasury and his Coadjutors was most humiliating to the Scottish nation and to those who entered into the full power and feeling of Scottish Nationality. What was it the right hon. Gentleman told them? He told them it was proposed to give them a Wednesday Sitting, and he did so with a gasp of astonishment at his own liberality. And he did not seem to be at all staggered by the fact that what was proposed to be done was not only a discussion of an important reform of the Scottish Law of Bail, but also the carrying of the Burgh Police Bill—a measure which consisted of nearly 600 clauses, with the addition of a waste howling wilderness of schedules, appendices, and regulations which were almost as long as the main body of the Bill itself. The right hon. Gentleman said that that could be conveniently pressed through in the two or three hours which, at the most, remained, if Scottish Members would only be diligent. It seemed to him (Mr. Wallace) that the right hon. Gentleman could not possibly have been considering what he was saying at the time. He had due respect for the upholstery of the right hon. Gentleman's intellect, but one piece that was deficient in it was imagination; and he thought if the right hon. Gentleman had that faculty in normal proportion to his other powers, he would have realized that the thing could not possibly be done. He defied the Clerk at the Table —who occasionally read out with such precise and careful elocution the libels of *The Times*—to simply read through the Burgh Police Bill in the time that the right hon. Gentleman thought sufficient for them to discuss all the clauses. There was more matter in the Bill than there was in the Iliad, a work which they could not read through in the course of a Wednesday afternoon. The right hon. Gentleman the First Lord of the Treasury said the Burgh Police Bill had been considered by a Select Committee, on which there were actually Scottish Members, and that, therefore, they ought simply to pass it without further consideration. That was another illustration of the unconscious contempt with which the Members of the Government regarded Scottish measures and Scottish Members. It showed them quite clearly that, in the opinion of the right hon. Gentleman, if a few Scottish Members were upon a Committee, they carried with them the opinion of all the other Scottish Members. He did not seem to think that there was any individuality in Scottish Members; that they were simply a homogeneous class, like a dozen of oysters, and if they got two or three they had got the substance and the similitude of all the rest. The right hon. Gentleman thought he could sample them like a bag of beans, or a ton of *Parnellism and Crime*, or any indiscriminate stuff which could be safely recognized by putting in their hand and pulling out an accidental

specimen. He entirely disputed the position of the right hon. Gentleman in this matter. Of all Nationalities in the world, Scottish Nationality was distinguished by its individualism. He would not call them national or political Ishmaels, nor would he say that every man's hand was against his brother for evil; but for the purpose of eliciting truth they were the most controversial nation that in the course of his ethnological inquiries he had discovered. It was quite ridiculous to say that because there were on the Committee some Scotsmen undefined and indiscriminate and, in his own mind, utterly unknown with respect to their individuality, that, therefore, this Bill could be easily passed through the House. The thing was utterly ridiculous. And after all was done, he told them he would give that impossible Wednesday only if a certain Irish measure could be passed on Tuesday. Now, his experience in that House had been that when the Irish Members were disposed strongly to contest a measure, it was a very imprudent thing for the Government to make promises on the condition that the performances of the Irish Members would be exhausted on a particular day. His own opinion was that their prospect of getting this ridiculous Wednesday was simply an *ignis fatuus*. He would make no excuse for detaining the attention of the House on this matter, for he should be untrue to his own proposition if he were in any degree apologetic either in the length of time or the strength of language he might use in considering this matter. He had further to refer to the right hon. Gentleman the First Lord of the Treasury and the promises which the right hon. Gentleman—he had no doubt *bonâ fide*—had made, but which through necessities which he did not foresee he would have to retreat from in practice; and he had satisfaction that he could now do so in his presence. It was a practically contemptuous view which the right hon. Gentleman had taken of Scottish Business yesterday. He would not say intentionally contemptuous, because he did not believe that the right hon. Gentleman was a Gentleman who was animated by malice either toward individuals or nationalities. But there was such a thing as personal malice and legal malice, and while he entirely acquitted the right hon. Gentleman of personal malice he could not say that the right hon. Gentleman was not sometimes guilty of political malice, and he thought on this occasion he had been guilty of political contempt towards Scotland. But the right hon. Gentleman was much to be excused in the matter, because he was simply reflecting what was now the attitude of all the Nationalities represented in this House towards Scottish Business. It was perfectly well understood by the Scottish Members, and it was getting gradually to be understood by the Scottish Nation, that they were systematically selected by the three other Nationalities as the nation that was to be despised. [*Cries of* "No!"] It was very polite of them to say "No," but he went by facts and not by words, and he knew that they were to a certain extent looked upon as the legitimate laughing stock of the Three Nationalities. That was very much owing to the action, or rather the inaction, of the Secretary for Scotland and the inefficiency of his Coadjutor the right hon. and learned Lord Advocate. Whatever the deficiencies of the faculties of Scotsmen might be, they had the usual array of ordinary senses; and he, for one, had the sense of hearing in a pretty average condition of operation, and he could not help hearing what was said, while going about in the Lobbies, about Scottish Business. He could not help hearing it said amongst, he supposed, the wits of the other Nationalities, that when a Scottish discussion was on it was what was called "a haggis debate," and it was called so by persons who he believed could not distinguish between a "haggis" and a "philibeg." He was speaking principally at present of the English section, and he would give a proof of what he said. They had great pride as a nation in the right hon. and learned Lord Advocate personally. They admired the radiant and spacious spectacle of the right hon. and learned Gentleman holding the coign of vantage on the Treasury Bench against all the world, like some Incarnate Judgment *in rem*. But how were the right hon. and learned Gentleman and those who were associated with him and the Scottish nation represented? How did they appear in English eyes? There was a journal published weekly in this City

called *Punch*. He was told it was a comic journal. He would not have known it himself, but that might arise from a national deficiency. He would accept the description on the faith of those who said they had authority for speaking in such matters. They had heard a great deal about libels directed by *The Times* against the hon. Member for Cork (Mr. Parnell) and his associates; but, he said, they could not hold the candle to the libels directed by this alleged comic journal against the right hon. and learned Lord Advocate, the Scottish Members, and the Scottish Nation. In a recent illustration, instead of recognizing the right hon. and learned Lord Advocate as a Gentleman who was wearing himself to the bone—or as near to the bone as he could get—in the service of his country, they described him as reposing upon the Treasury Bench in adipose indolence, spread out like Milton's Leviathan—

> "Slumbering on the Norway foam, extending many a rood,"

and in no way occupied about Scottish Business, except to turn his back contemptuously on Scottish Members, and to ward off any possibility of getting on to Scottish Business. That was the normal English idea, he would not say of the right hon. and learned Gentleman personally, but of him in relation to the Scottish Members, the Scottish Nation, and Scottish Business. Was that a state of things that it was comfortable for Scottish Members to consider? Then, with respect to their Irish Friends, Scottish Members did their best humbly to support them when the cause of their Nationality was at stake; but he must say, that while he admired their patriotism and the entire engrossment of their minds in matters that pertained to their Nationality, he sometimes wished that they had a little sympathy with Scottish Members, and would give them a small deducted portion of the time which they themselves occupied. In reference to that, he was not sure that the Irish Members paid the Scottish Members the respect which the Scottish Members paid to them; but if he felt any grudge against them on that account, he was amply avenged by the vindictive and punitive and judging power which the accident of certain Scottish Representatives being on the Treasury Bench had directed upon them. He would simply mention the two Law Officers for Scotland and the right hon. Gentleman the Chief Secretary for Ireland; and if he were vindictive, he would say that he thought the style in which the right hon. and learned Lord Advocate received many of the arguments of Irish Members, particularly those concerned with the distresses of Ireland, was a sufficient punishment. Last night, for instance, the right hon. and learned Lord Advocate, at the moving description of the unhappy man who was driven lunatic by the treatment he received in prison, was unable to restrain his laughter.

MR. J. H. A. MACDONALD: I expressly contradict that statement. I would like to explain that it is very difficult sometimes not to be amused at the way in which hon. Members opposite put things. I think they would themselves be very much surprised if we did not laugh; but certainly I never did so in reference to the facts.

MR. WALLACE said, he accepted at once the statement of the right hon. Gentleman, and would at once recall what he was going to say. But he thought he was not mistaken in saying that, in the case of the right hon. Gentleman the Chief Secretary, Scotland was amply avenged for any want of attention on the part of Ireland by what he might call the Highland fling which the right hon. Gentleman the Chief Secretary executed — with a superlative amount of finger snapping and the proper amount of shrieking—over the tenderest sympathies and fondest aspirations of the Irish nation. Then, with respect to the third Nationality in this House of Commons—he found that even Taffy, with the larcenous consciousness of that marrow bone hanging about him—even he exalted the horn against the Scottish Nation, and told them to their face that what they had was not a language, but only an accent, just as if the melancholy gibberish which he himself talked at his Cymrodorions and his Eisteddfods, or whatever else he called them, was not in reality a reproach to civilization and a serious impediment to human progress. [*A laugh.*] What he wanted to say was, that although the right hon. Gentleman the Chief Secretary might laugh, it was really becoming a very serious matter for Scotland and Scottish Members. It took a long time to get some things into a

normal Scottish head; he believed a distinguished anatomist had said it was impossible to get a joke into a Scottish head without the assistance of a surgical instrument. That might be; but if so, he was not sure that it was an unmixed calamity; for while he had been in the House it had been his fortune, or misfortune, to listen to some of the most remarkable, and at the same time awful, products of human cerebration, falling from lips strongly touched with that Anglican brogue which was naturally distasteful to ears which had been accustomed to the classical pronunciation of the Saxon speech, and which he was told were English jests; and hearing such things he had felt inwardly thankful for that providential, if pachydermatous, prophylactic which was protecting him from such a painful and hideous invasion of what he would venture to call his mind. But if that were so, there was a limit even to that position of things. He said that now the iron—or rather the irony of the situation—was entering into the Scottish soul. It was 181 years since the Union, and it had taken a long time for the matter to penetrate, but it had been gradually entering the Caledonian mind, and now the hideous joke of what was called Scottish Business in this House had finally got into the Alexandrian cranium; and when once it was there, they might rely upon it it would not be easily removed. It was not like one of the Resident Magistrates of that distinguished Scotsman, the right hon. Gentleman the Chief Secretary for Ireland, who—he did not say it in an uncomplimentary way—was a reproduction of the Bloody Mackenzie. It showed the remarkable productivity of the Nationality to which he belonged, for, just as in those days his race was able to produce on the one hand the Covenanters, it was also able to produce on the other the bloody personage to whom he had referred, a man of great abilities, of fine sensibilities, of extreme literary culture, but defective in that element of human sympathy without which the noblest endowments were vain and nugatory. But to return from that *excursus*—now that this idea of the complete contempt in which Scottish Business stood, and in which it was viewed with a certain amount of unanimity by all the three Nationalities represented in the House of Commons, was evidenced in the treatment which Scottish Business received, and in the fact that they did not get any attention at all—he begged Gentlemen in the position of the right hon. Gentleman the Chief Secretary for Ireland to remember that this idea having once penetrated to the centre of the Scottish consciousness was not removable like one of the right hon. Gentleman's Resident Magistrates. That was the compensatory element in the alleged slowness and tardiness of the Scottish nature. If it took a long time for an idea to penetrate the Scottish mind, it took eternity itself to get it out. He said in all seriousness the notion of Home Rule for Scotland was now growing—each step being irrevocably assured in the Scottish mind. He was not a red-hot enthusiast in respect of Scottish Home Rule. He did not want his country to sink into a sort of North British Switzerland, very comfortable but very small; into the position of a respectable Vestry among the nations. He should be sorry to see the Scottish democracy dissociated from what he believed the splendid career that lay in the future of the great English democracy. But if they could not get anything done for themselves, they were driven into a position in which they must make a fight for some kind of independence; and they might rely upon it that if Scotland went in for independence at all, it would not be a fractional independence. It would not be a milk and water matter. They were accustomed to stronger drink than that. They should have something worth getting, or they should have nothing at all, but they would not have nothing at all; and therefore they would have something worth seeking. The present state of things must be attributed to the Secretary for Scotland. It was necessary in this matter to have a scapegoat of some kind, and the only scapegoat they could make was the Secretary for Scotland and the right hon. and learned Lord Advocate. When he thought of Dover House; the large amount of money spent in maintaining it; of the Scottish Secretary with his clerks; of the right hon. and learned Lord Advocate with all his attendants; of the hon. and learned Solicitor General for Scotland, and those who obeyed his behests, and the great retinue of offi-

cialism which they commanded; and when he also thought of the effect they produced as regards Scottish Business, he was reminded of that celebrated picture of Hogarth's, in which he pourtrayed a great machine with immense motive power, with no end of wheels, with cog and pinion, piston and pulleys, wheel and shaft and cylinder, wheel within wheel, all working in the most intricate and ingenious order and relationship to each other, but all that immense power resulting in simply extracting a cork from a pint bottle. Similarly, the results of the elaborate machinery of Dover House amounted to nothing more than extracting five hours in 12 months from the right hon. Gentleman the First Lord of the Treasury. And yet the right hon. Gentleman stood up, and, with a smile which was "child-like and bland," told them he was going to give Scotland the proper allowance of time by giving them three hours on a Wednesday! That was not according to Cocker. His (Mr. Wallace's) arithmetical calculation of the proper amount of time to be given to Scotland was not three hours, but three weeks — excluding the Autumn Session, of which they would take account when it came on—three weeks of sober, serious, careful, and industrious application of Scottish Representatives to Scottish legislation. This was not a composition which any honest debtor would offer to a creditor. It was not a farthing in the pound. The conduct of the right hon. Gentleman the First Lord of the Treasury reminded him of what was said by Lord Bacon long ago when an articled clerk—for he was always sure that impostor Shakespeare would be found out—when he said—"A man may smile and smile and be a ——" well, an opponent of Scotch Business. Of course——

It being half after Five of the clock, the Debate stood adjourned.

MR. E. ROBERTSON (Dundee) asked, what place the First Lord of the Treasury proposed to assign on Monday to the debate which had just closed?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, the discussion would be put down in the first position on Monday. He trusted the debate would not be continued at great length, in view of the very pressing character of the Business they had to undertake.

Debate to be resumed upon *Monday* next.

WAYS AND MEANS.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. William Henry Smith.*)

MR. BIGGAR (Cavan, W.): I object.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) appealed to the hon. Member to withdraw his opposition. The Business was purely formal; but it would be a serious inconvenience if there was any delay. Indeed, any delay now would prevent the House adjourning as early as they desired.

MR. T. M. HEALY (Longford, N.) said, he hoped the Government would meet the wishes of the Irish Members with respect to the amendment in the Bill before the House respecting the application of the Borough Funds Bill to Ireland.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he was most anxious to meet the views of Irish Members, and would see that they were carried out. But there was a technical difficulty in the application of the Act to Ireland, and the result might be that municipal boroughs only might have powers which in England were vested in Improvement Commissioners and Local Boards, as well as in municipal boroughs. The Government would deal with the matter in the autumn, so that only a few months would be lost.

MR. SEXTON (Belfast, W.) said, he did not see why the Government could not accept their Bill, or do something in the matter without any further delay.

MR. GOSCHEN said, it was impossible for the Government to accept the Bill brought in by the Irish Members; but he would endeavour to see by Tuesday whether a Bill could not be brought in to meet the views of the hon. Members. There was just time to pass such a Bill.

Question put, and *agreed to.*

Considered in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the service

of the year ending on the 31st day of March 1889, the sum of £18,326,975 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported upon *Monday* next.

LLOYD'S (SIGNAL STATIONS) BILL

[*Lords*].—[BILL 343.]

(*Sir Michael Hicks-Beach.*)

SECOND READING.

Order for Second Reading read.

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in moving that the Bill be now read a second time, said, the attention of the House had, during the course of the present and previous Sessions, been called to the advisability, in the interest of property, and still more in the interest of the safety of life at sea, of establishing some better means of telegraphic communication than at present existed between the mainland and lighthouses at some distance from it. Having made inquiry, he found that the Association known as "Lloyd's" were willing, in the interest of commerce, to undertake the work to some extent; and the object of the Bill was simply to empower them to do so, and to enable them, where necessary, to take land for the purpose of such works. He moved the second reading.

Motion made, and Question, "That the Bill be now read a second time,"—(*Sir Michael Hicks-Beach,*)—put, and *agreed to.*

Bill read a second time, and *committed* to a Select Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection.

Ordered, That all Petitions against the Bill presented two clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Three be the quorum.

Ordered, That Mr. Marjoribanks, Mr. Penrose FitzGerald, and Sir Michael Hicks-Beach be Members of the Committee.

LIBEL LAW AMENDMENT BILL.

CONSIDERATION OF LORDS' AMENDMENTS.

MR. T. M. HEALY (Longford, N.) said, that he had withdrawn his opposition to the Bill, in order that the Amendments might be seen; but the House of Lords had made Amendments introducing a change in the Bill, one clause particularly having been introduced with reference to slander that had nothing whatever to do with newspapers. He hoped the Bill would be closely scrutinized, and its further consideration be postponed till the Autumn Sitting.

Lords' Amendments to be considered upon *Thursday* next, and to be *printed.* [Bill 368.]

COUNTY COURT APPEALS (IRELAND) BILL.

On Motion of Mr. T. M. Healy, Bill to amend the County Courts (Ireland) Acts, *ordered* to be brought in by Mr. T. M. Healy, Mr. Clancy, Mr. Chance, and Mr. Maurice Healy.

Bill *presented*, and read the first time. [Bill 367.]

House adjourned at a quarter before Six o'clock till Monday next.

HOUSE OF LORDS,

Monday, 6th August, 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—Municipal Corporations (Local Bills) (Ireland) * (255); Marriages Validation * (256); Statute Law Revision (No. 2) * (258).

Committee—Local Government (England and Wales) (238-257).

Committee—Report—Forest of Dean Turnpike Trust (232).

PURCHASE OF LAND (IRELAND) ACT, 1885.

QUESTION. OBSERVATIONS.

THE EARL OF MILLTOWN, in rising to ask Her Majesty's Government, Whether tenants desirous of purchasing their holdings under the provisions of the Purchase of Land (Ireland) Act, 1885, are compelled to borrow a substantial portion of the purchase money, although they were desirous of paying the whole sum themselves, and are under no necessity to contract a loan; and whether, if this be so, they will take steps to remove this impediment to the working of the Act, said, that he himself wished to purchase a certain farm which was held by a tenant for life through the means of the machinery of the Land Purchase Act, because that method was more simple and cheaper than purchasing in any other way. He communicated the

facts to the Land Purchase Commissioners, and they informed him that it was absolutely necessary that he should borrow a substantial sum from them in order to purchase the farm. He replied that he would borrow a trifling sum, although he was under no necessity to borrow any of the purchase money; but they insisted that a substantial portion of it should be borrowed in compliance with the terms of the Act of Parliament. If this was really so it seemed a very singular thing. He felt sure that there were many thousands of tenants in Ireland who were perfectly able to buy their holdings, and that they would do so if peace and quietness were assured; and if they were certain that an end would be put to the perpetual interference by Acts of Parliament between them and their landlords, upsetting their contracts and disturbing everything. This was especially the case in the North of Ireland; and he was quite certain that if this difficulty in reference to the necessity for borrowing a substantial portion of the purchase money had been brought before the Royal Commission which had inquired into the working of the Irish Land Acts, and of which he was a Member, unquestionably they would have recommended its removal. While on the subject of the Land Purchase Act, he could not refrain from expressing his earnest hope that nothing would be allowed to interfere with the working of this most beneficent Act. He could recollect a great many other Acts passed relating to land in Ireland, and, while he would not say that none of them had done any good, he would say that this was the only one with which everyone was satisfied. North and South, East and West, from all classes of the community, the testimony in its favour was most remarkable, and it would be little short of a calamity if it were allowed to drop just as it was getting a fair chance by the establishment of law and order in the country.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK) said, the facts of the case mentioned by the noble Earl were previously unknown to the Irish Government, and they were not aware of the grounds upon which the difficulty to which he had referred was raised. The facts of this case having now been laid before the Government, they would investigate the matter and give the noble Earl an answer on a future occasion.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.—(No 238.)

(*The Lord Balfour.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD BALFOUR said, many Amendments were necessarily made in a Bill of this kind, which had been discussed at great length in "another place." It was also necessary at the last moment to insert a considerable number of merely verbal or drafting Amendments. He had not put these on the Notice paper at this stage, because to do so would have made it very laborious for their Lordships to go through them all and find out which Amendments arose through imperfect drafting, and those which were of importance. The drafting Amendments would be nearly 140 in number, and it was proposed that they should be put in at a subsequent stage of the Bill. Nothing but verbal Amendments had been postponed, and he hoped their Lordships would approve that arrangement.

Moved, "That the House do now resolve itself into Committe upon the said Bill."—(*The Lord Balfour.*)

Motion *agreed to.*

House in Committee accordingly.

Title and Preamble *postponed.*

PART I.

COUNTY COUNCILS.

Constitution of County Council.

Clause 1 (Establishment of county councils).

Amendment *moved*, in page 1, line 11, after ("Chairman,") insert ("Deputy Chairman").—(*The Earl of Jersey.*)

LORD BALFOUR said, he was sorry he was not able to accept this Amendment, and to insert it in the place in which it was proposed to put it. It seemed better that the precedent of the Municipal Corporations Act should be followed, and that Statute gave no power for the appointment of a permanent Deputy Chairman.

THE EARL OF KIMBERLEY pointed out that there was no provision in the Bill by which a Chairman or Councillor could resign without paying a fine.

LORD BASING said, he wished to enter a protest against the extreme detail with which the Municipal Corporations Act had been followed in this Bill, as the conditions of rural districts were necessarily different from those of the towns.

EARL BEAUCHAMP said, that Parliamentary duties might take the Chairman away, and then it would be desirable that, as at Quarter Sessions, the Deputy Chairman should take his place.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) pointed out that the Deputy Chairman had no existence until he became Chairman. It was not a serious question, but the words as they stood would fulfil all requirements.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

Clause 2 (Composition and election of council and position of chairman).

THE MARQUESS OF SALISBURY said, he begged to move an Amendment in Section 6 of the clause extending the qualification for an Alderman of the Council "to a Peer owning property in the county, or a son of such Peer, or of a county elector." As the clause was drawn, Peers would have been excluded from sitting on the County Council in respect of property within the county, and that, of course, was not the intention of the Government. Inasmuch as sons could be qualified by giving them a 40*s.* freehold, it was better that they should be qualified directly rather than circuitously.

Amendment *moved*, in page 1, line 24, after ("is") insert ("a peer owning property in the county, or is a son of such peer, or of a county elector, or is").—(*The Marquess of Salisbury.*)

EARL BEAUCHAMP said, he hoped the noble Marquess would reconsider his Amendment, which took in, not only the eldest son, but all the sons. Suppose as in a well-known case a man had 22 sons. The privilege of an eldest son rested upon property. To make all sons equally eligible was to create a favoured caste. In his opinion the qualification should be restricted to Peers and their eldest sons.

THE MARQUESS OF SALISBURY said, he was a great advocate of primogeniture, but he really saw no reason why if two or more sons of a Peer could obtain election they should not be able to sit. They would probably be good members.

EARL GRANVILLE said, that when the Government was formed he objected to the noble Marquess occupying both the positions of Prime Minister and Foreign Minister. Now, the noble Marquess was assuming the *rôle* of an independent Peer in the House in moving Amendments in a Government Bill which was in charge of another noble Lord.

THE MARQUESS OF SALISBURY said, that the noble Earl was strict in his etiquette. He had constantly put Amendments to Government Bills in charge of some other Member of the Government. This seemed to him a more convenient plan than sending them in a circuitous fashion through a Colleague, but he was quite sure that his noble Friend (Lord Balfour) would consent to move his Amendments, if that would soothe the noble Earl.

EARL GRANVILLE said, he was quite aware that the noble Marquess had done so, but that he was not aware that any other Prime Minister had done so. Their course had been, if they wished for alteration, to bring it before the Cabinet, or the Departments which had charge of the Bill. He only wished to know how the matter stood. He had observed some difference between the noble Marquess and his Colleagues.

EARL BEAUCHAMP said, he was opposed to the Amendment.

THE EARL OF KIMBERLEY thought the Amendment proposed a serious innovation, and he did not see any reasons for it. There might be little objection to it in the case of Peers, but this qualification ought not to be given to the sons of burgesses.

EARL BEAUCHAMP moved to amend the Amendment by making it applicable to eldest sons only.

Amendment (by leave of the Committee) *withdrawn.*

THE EARL OF KIMBERLEY said, that to give this qualification to the sons of county electors would be an innovation which should not be allowed; and, therefore, he proposed to omit the words which included them.

Amendment *moved* to the proposed Amendment, leave out ("or of a county elector").—(*The Earl of Kimberley.*)

THE MARQUESS OF SALISBURY said, although he did not attach much importance to the Amendment, he could not understand why the son of an owner or occupier competent to sit on the County Board should not be as competent as his father, and he believed that the practical convenience of such an arrangement would be considerable. If they got a class of country gentlemen to sit very much on the Councils, he believed that it would be the sons rather than the fathers.

THE EARL OF KIMBERLEY said, that if the Boards were to be entirely composed of country gentlemen and their sons there might be something in the argument of the noble Marquess; but this Bill gave the right to the sons of every burgess to be elected. They had gone a very long way in these matters, but hitherto they had stopped at something like household suffrage.

THE EARL OF JERSEY said, he was certainly in favour of the Amendment proposed by the noble Earl (the Earl of Kimberley).

LORD MONK BRETTON said, it would be invidious to allow the sons of the Peers to sit on the Councils, and not the sons of other owners of property in the county.

LORD EGERTON OF TATTON thought it would be better to leave out sons of Peers as well as of other persons.

LORD BRABOURNE protested against the sons of Peers being treated as if they were better than anybody else. It would be a great mistake if their Lordships made an Amendment which would indicate that this was their opinion, for, though they were doubtless a most estimable Body, the country would hardly endorse such an opinion as that indicated by the Amendment.

THE MARQUESS OF SALISBURY said, that all property qualification for Members of Parliament had been long since abandoned, and he did not see why it should be required for a County Councillor. As, however, there was a general objection, he would not press the Amendment beyond that part which gave the qualifications to election to Peers.

Amendment, as amended, *agreed to.*

LORD BASING said, he proposed to insert—"And the county aldermen shall be selected from the justices of the county." He thought this would simplify the proposals in the Bill, and effect that which everyone wished to see done—namely, the due admixture in the County Councils of the new and past administration. He repudiated the suggestion that this was intended to draw an invidious distinction between one class and another. There would be practically no change from what they had already, and they would secure the continuity of policy. He thought it was a reasonable proposal, and he begged to move his Amendment.

Amendment *moved*, in page 1, line 30, at the end add ("and the county aldermen shall be selected from the justices of the county.")—(*The Lord Basing.*)

LORD BRABOURNE submitted that nothing could be more invidious than the adoption of such an Amendment, which, moreover, would, in his opinion, do a great disservice to the County Justices themselves, who would be heavily handicapped if they stood as elective members, and would be told to keep themselves for the position of Aldermen, which had been exclusively reserved for them. On this and other points, the more the electors were trusted in the exercise of the powers about to be conferred upon them, the more likely would they be to answer expectations. Nothing could be more unfortunate than to begin by hampering the choice of the persons concerned by confining it to the particular class of county gentlemen. Moreover, there were within his knowledge many persons of the same calibre and fitness as County Justices who, for some reason or another, were not in the Commission of the Peace. Why should such men be excluded? This Amendment would be represented in the country as an attempt to restore by a side wind that influence of which the County Justices feared they would be deprived by this Bill. But he (Lord Brabourne) had no such fear. He had faith that those of the county gentlemen who came forward for election would be elected if they were deserving of election, and that their influence would be greater as a representa-

tive Body than even at present as a non-representative Body.

LORD BALFOUR said, it would not be possible for the Government to accept this Amendment. The County Aldermen were to be of the number of one-third of the County Councils, and that number had already been looked upon with some jealousy, and if it were enacted that the County Aldermen were to be chosen from the Justices of the Peace alone, the objections entertained t the position in which the County Aldermen were placed would be very much strengthened. The Bill proceeded on the principle of leaving the County Councils as untrammelled as possible in the selection of Aldermen, and he was convinced their Lordships would do the County Justices a great disservice if they put them in the privileged position contemplated by the Amendment. It would put a premium on those who were less energetic taking the easier course of entering the Council by this door rather than by the door of election, and its effect would be to put them in a position of much less influence and importance than if they were elected. On these grounds he sincerely hoped their Lordships would not accept the Amendment.

Amendment *negatived.*

THE EARL OF JERSEY said, he begged to move an Amendment providing that the County Councillors should be elected for the term of six years, and that the half should retire every three years. In that way he thought they would obtain continuity of work in the Council, without the Council losing touch of the constituents. Their Lordships ought not to be solely guided by the provisions of the Municipal Corporations Act, but if they thought it desirable that the County Councils should have a longer term of office they should express that opinion.

Amendment *moved,*

In sub-section (d), page 2, line 1, to leave out from ("of") to the end of the sub-section, and insert ("six years; of the first county councillors one-half shall retire on the ordinary day of election in the third year next after the passing of this Act, and the remaining half shall retire on the ordinary day of election in the sixth year after the passing of this Act, and their places shall be filled in each case by a new election").—(*The Earl of Jersey.*)

Lord Brabourne

LORD BALFOUR said, he hoped the Amendment would not be accepted. The term of three years was the longest for which any members were elected for any representative Body in this country, School Boards, Local Boards, and the like. He could not help thinking that the change proposed would not tend to efficiency.

THE EARL OF KIMBERLEY said, he concurred with the noble Lord who had just sat down. He thought it desirable that at the end of three years the electors should have an opportunity of considering and revising the work which had been done.

EARL BEAUCHAMP said, that the opinion of the constituency could be ascertained by the retirement of one-half just as well as by the election of the whole Council. He was not sure that the experience of School Boards had been so very satisfactory as to make it desirable to follow that precedent strictly. The work of the County Council, too, was such as required a considerable amount of experience, and it was a great mistake when that experience had been gained to run the risk of having it unnecessarily frittered away.

THE EARL OF MORLEY said, he trusted that this Amendment would not be accepted. The argument of continuity of policy had been brought forward in its support; but it must be remembered that continuity of policy might not always be a very desirable thing, especially if the policy was against the feeling of the constituent body. He ventured, therefore, to think that six years was far too long. With regard to the argument of continuity of experience in county matters, that would be secured by the system of County Aldermen; and, besides, it was probable that those who had gained experience on the Council would be re-elected when the time came, unless the constituency was strongly opposed to their policy.

On Question, "That the words proposed to be left out stand part of the Clause?" Their Lordships *divided*:—Contents 72; Not-Contents 29: Majority 43.

EARL BEAUCHAMP said, he begged to move the omission of the words pro-

viding that one County Councillor only should be elected from each electoral division. They were all anxious that the best candidates should be elected to the County Council, and for this purpose it was undesirable that a restriction of this nature should be retained. It was very important not to localize the areas too much, and he could fancy nothing more calculated to parochialize County Councils than this restriction.

Amendment *moved*, in page 2, lines 6 and 7, leave out "and one county councillor only shall be elected for each electoral division."—(*The Earl Beauchamp.*)

LORD MONK BRETTON said, he should support the Amendment. In his opinion it was very desirable that the County Councils should consist of a considerable number of members within reasonable limits. There must be a considerable increase in the numbers of the Councils, or there would not be room for the different classes whom it was desired should be represented.

LORD HERRIES said, he thought that as the Bill stood there would be great difficulty in arranging the electoral divisions. He hoped that the Amendment would have the effect of meeting the difficulty by giving the Quarter Sessions greater latitude in arranging the electoral districts.

LORD BASING said, he did not understand that the Amendment would have the effect of increasing the number of members of the different Councils. If it had the effect of enabling a larger number of County Councillors to be elected he should agree with it, as he did not think the proposed numbers sufficient. The Quarter Sessions could arrange the electoral divisions with much greater ease if the Government departed from the principle of single-member districts.

THE EARL OF KIMBERLEY trusted the Government would not accept the Amendment. One of the great advantages of small divisions would be that there would not be so much necessity for canvassing and addressing the electors, and electioneering generally. He thought it was better to have uniformity in the matter, and that it would be inconvenient to have one division returning one member and others returning more.

LORD HENLEY, in supporting the Amendment, said, he did so because a large number of Councillors would be required in each county—say, 60 for Northamptonshire. It would be inconvenient to divide the county into so many divisions, and therefore better to take some existing divisions, such as the Petty Sessional divisions, and to elect several Councillors for each division.

LORD BALFOUR said, he was unable to accept the Amendment. Some noble Lords thought that the number of Councillors would be too large, and others that they would be too small; but he wished to point out that the matter was provisional in this way—that any representation made to the Local Government Board would be considered, and he did not think it right that the burden of deciding the question should be laid upon the Quarter Sessions. It was the opinion of the Government that a system of single-member districts gave a better chance than larger divisions would for a fair representation of all opinions in the county and for minorities being represented.

THE MARQUESS OF BATH hoped that the Government would accept the Amendment of his noble Friend near him (Earl Beauchamp), as he thought the Council would be more free from Party bias—*i.e.*, the constituencies would elect men free from Party considerations. There was no analogy between County Councillors and Members of Parliament.

THE MARQUESS OF SALISBURY said, he hoped the House would think very carefully before it adopted the Amendment. He should not have been surprised if such a proposal had proceeded from the other side of the House, but that his noble Friend behind him should have made it puzzled him very much indeed. It was almost a commonplace of politics that *scrutin de liste* was a Radical thing and that *scrutin d'arrondissement* was a Conservative thing. In proportion to the smallness of the constituency was the amount to which local knowledge and personal connection operated on an election. This Amendment was really in favour of the election of carpet-baggers, to whom it would give a power which in any single-member constituency they never would have. If they did not have single-member constituencies they would have constitu-

encies of all sorts and sizes. Then they would get rid of all idea of local knowledge and local connection, and then would come in Party organization and the inviting of strangers from a distance to become candidates. He hoped their Lordships would reject the Amendment.

LORD BELPER said, he was opposed to the Amendment.

EARL STANHOPE asked for information as to the size of the divisions.

LORD EGERTON OF TATTON thought the Government ought to give some guidance before the House voted on this question.

THE EARL OF CAMPERDOWN said, the House was mixing up two questions—the constitution of the Council and the number of members to be returned for each division. He hoped their Lordships would vote on one question only.

LORD BALFOUR said, that the Local Government Board would gladly receive any representations on the subject. The present intention was that as nearly as possible the electoral division would average 3,000 population.

THE EARL OF JERSEY hoped the Amendment would be withdrawn.

LORD MONK BRETTON said, that, according to the statement just made by the noble Lord, the number of members of the Council in Sussex would be nearly doubled.

EARL BEAUCHAMP said, he differed entirely from the noble Marquess (the Marquess of Salisbury) as to the effect of the Amendment. It had reference simply to the single-member system, and none to the numbers on the Council. His object was to secure the representation of local opinion and the full representation of the county, and particularly of the property of the county. The smaller the constituency the greater the value of local knowledge; but if the area were very small the inferior man within the area might be preferred to the better man outside. It should be remembered that the object was not the representation of Party opinion, but the administration of county affairs. The Amendment would not in any way favour carpet-baggers.

LORD BALFOUR said, that in all counties the exact proportion of County Councillors would not be precisely the same. In mentioning 3,000 he meant the lowest number. In Lancashire and the populous districts the constituencies would be larger. It was obvious that if a definite proportion of Councillors to population could be fixed it could have been done by a clause in the Bill; but it was not possible, and it must be left to be fixed by the Local Government Board according to the wishes and the varying circumstances of different localities.

LORD BASING said, he had understood that the Local Government Board had settled the numbers on each Council.

LORD BALFOUR said, he had stated that any arrangement made by the Local Government Board was provisional only. The Board would be glad to receive suggestions.

Amendment *negatived.*

LORD BRABOURNE, in moving an Amendment to the effect that the Chairman of a County Council should be elected for three years instead of one, as provided by the Bill, said, that in the Bill as first introduced there was a slavish adherence to the provisions of the Municipal Act of 1835, and the new Chairman of a County Council was to be called a Mayor. That had been given up, but still it was proposed to follow the precedent of annual election as in the case of Mayors. But the Mayor of a corporate town was in a different position. He was moving in a comparatively limited area, was known to all his constituent body, and persons of his type were, as a rule, easily found to fill his honourable office. The Chairman of a County Council would have much more work to do and much more to learn, especially if new duties were to be cast upon the Councils, as seemed to be generally anticipated. In his opinion, the Chairman should be elected for three years, the term for which the Councillors were to be chosen, and they would be more likely to get good men to fill the office if the period for which it was to be held was extended. He doubted whether any suitable person would undertake the office if it exposed them to an annual election.

Amendment *moved*, in page 2, line 32, leave out ("one,") and insert ("three"). —(*The Lord Brabourne.*)

LORD BELPER said, he agreed that continuity was desirable in the case of Chairmen of County Councils, who would differ entirely from Mayors.

THE EARL OF KIMBERLEY trusted that the Government would not depart from their original proposal and would not accept the Amendment. If a Council desired to have the same Chairman after a year it could re-elect him, whereas it was unfair to force him upon them for three years.

LORD BALFOUR said, that the general idea of the Bill was to apply the Municipal Corporations Act to counties except in certain specified points. One of those points was calling the head of the County Council Chairman instead of Mayor. He hoped the House would not accept the Amendment, as Her Majesty's Government held that the Bill as it stood would give greater freedom. If a Chairman were thoroughly competent, and desired to continue in office, he would almost certainly be re-elected.

THE EARL OF CARNARVON said, that his own impression, taking one thing with another, was that a Chairman was likely to be re-elected in the ordinary course if the election were annual.

Amendment (by leave of the Committee) *withdrawn.*

Amendment *moved,*

In page 2, at end of Clause, add as a new Sub-section (6):—"(6). The lord lieutenant and the chairman of the quarter sessions shall be *ex officio* members of the county council."—(*The Earl of Powis.*)

LORD KENSINGTON said, he hoped the Government would not accept the Amendment, because it was introducing the objectionable element of *ex officio* members. If the County Chairmen wished to be members of the Council, they should stand the test of an election on their merits like all others.

LORD BALFOUR said, he objected to the Amendment, on the ground that there were no *ex officio* members of the Council provided by the Bill, every proposition of that character having hitherto been resisted by the Government.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Powers of County Council.

Clause 3 (Transfer to county council of administrative business of quarter sessions) *agreed to.*

Clause 4 (Transfer of certain powers under local Acts) *agreed to.*

Clause 5 (Appointment of coroners by county council).

LORD BALFOUR said, he had a number of Amendments, almost entirely verbal, to propose to the clause, the intention being to make more clear the language of the clause, which was inserted at a late stage of the proceedings in Committee in the other House.

Amendments *agreed to.*

Amendment *moved,*

In page 4, after Sub-section 2, insert as a new Sub-section—"Provided, nevertheless, that if a person who holds the office of coroner is elected as a county alderman or county councillor for the county for which he is a coroner, he shall not act as county alderman or county councillor unless he vacates his office of coroner."—(*The Earl of Powis.*)

LORD BALFOUR said, he thought that the words proposed would not have the effect which the noble Earl wished, and he had arranged with the draftsman of the Bill as to words which would simply void the election. If the noble Earl would withdraw his Amendment he would himself move the insertion of the words—

"A person who holds the office of coroner shall not be qualified to be elected as county alderman or county councillor for the county in which he is coroner."

Amendment (by leave of the Committee) *withdrawn.*

Amendment (*The Lord Balfour*) *agreed to.*

Clause, as amended, *agreed to.*

Clause 6 (Council may purchase existing bridges).

On the Motion of LORD BASING, Amendment made in page 4, line 36, after ("purchase") by inserting ("or take over on terms to be agreed on").

Clause, as amended, *agreed to.*

Clause 7 (Transfer to county council of certain powers of justices out of session) *agreed to.*

Clause 8 (Reservation of business to quarter sessions).

THE EARL OF POWIS said, he had an Amendment to move providing for the appointment of a barrister of not less than 10 years' standing to be a Chairman or Deputy Chairman of the Quarter Sessions of the County, on the Petition of the Court of Quarter Sessions. The position of county magistrates was very

much changed by this Bill, and it could not be expected that large numbers of magistrates would always come together, when there was no county business to do, to attend the trial of a few prisoners for larceny, and cases might arise, especially in small Welsh counties, when there might be considerable difficulty as to a Chairman.

Amendment *moved*,

After Clause 8, page 5, insert as a new Clause —"(A.) If a court of quarter sessions petitions Her Majesty in that behalf, it shall be lawful for Her Majesty to appoint a barrister of not less than ten years' standing to be paid chairman or deputy-chairman of the quarter sessions for the county."—(*The Earl of Powis.*)

LORD BALFOUR said, the Amendment was entirely outside the scope of the Bill; the Bill did not touch the judicial powers of Quarter Sessions in any way. It might or might not be desirable to appoint some such paid officers as the noble Lord desired, but the question was one which ought to be decided on its own merits, and in a Bill brought in for the purpose. It was extremely undesirable to overload this Bill with matters not germane to it.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 9 (Powers as to police).

THE EARL OF CARNARVON said, he did not wish to move any Amendment, but to throw out some considerations for Her Majesty's Government. This clause provided for the powers, duties, and liabilities of the Justices and the Quarter Sessions being in future vested in a joint committee of the Quarter Sessions and County Council. He doubted very much whether such an arrangement could ever work satisfactorily. There must be a considerable amount of friction between the two Bodies, but he objected to the arrangement on the larger ground that there should not be divided authority with the management of the police force. Of all bodies in the world the police force was the one which could least stand divided authority. Under distinct management the police acted fairly and firmly, and nothing whatever should be allowed to shake their discipline. If there was any difference in the orders which emanated from headquarters the police would unquestionably act irresolutely. Moreover, questions would from time to time arise which deeply affected the public mind, such as the tithe question. In that case, some of the County Councils might hold different views from the Quarter Sessions, and the result must inevitably be that the police would act with irresolution. If this plan of joint control were proposed to be applied to the Metropolis no one would defend it. What he would suggest to the Government—though he did not suppose they would accept it—was that if they were really prepared to make this great change as regarded the police, then the only safe and satisfactory change they could make was to transfer the control of the whole force, not to a joint committee, but to the Imperial Government. That would enable the police to be employed in any part of the country where they were required, and would be productive of economy, for so large a force would not be requisite if the whole strength could be applied where it was necessary. Practically, that was done in the most important districts in the Metropolis and in Ireland. The subject, he thought, was worthy of the consideration of the Government.

THE EARL OF KIMBERLEY said, that the noble Earl advocated the most serious and dangerous change which could be made in our system of government—that of placing the whole of our police in the power of the Central Government. No doubt, they were obliged to centralize the police in Ireland, but anyone acquainted with the evils connected with the management of that force by the Imperial Government, and the scenes which it constantly gave rise to in the other House, must look upon the change proposed by the noble Earl as most unfortunate. He hoped that in this country we should not depart from our ancient system, and put into the hands of the Government the whole machinery of the police. If that course were adopted the result would be that every single incident that passed, and the conduct of the police in every part of the country would be made the subject of fierce political discussion, and anything more disastrous he could not conceive.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) said, he confessed that on the great question as to whether the police should

be in the hands of the Central Government he sympathized rather with his noble Friend behind him than with his noble Friend opposite. He believed that we were slowly developing from the Dogberry and Verges position into that of a highly perfected system of organized police, which prevailed in every country but our own. He believed that we should ultimately get it. He should be glad if we were able to shorten the journey; but he could not accept any such proposal in the present Bill, because the practical difficulties in the way of doing so were obvious. He desired to say that Her Majesty's Government were not responsible for the clause as it stood. As the clause was introduced in the House of Commons the arrangement was that all the maintenance of the police should pertain to the County Council. The Chief Constable, however, was to be appointed, controlled, and dismissed by the Quarter Sessions, and he would have the entire control of the force. The clause now said that the powers, duties, and liabilities of Quarter Sessions and of Justices out of Sessions in respect of the county police should go to the County Councils. That meant that the power over the county police was entirely taken away from the Justices. It entirely rested with the joint committee. He confessed that that did not appear to him to be a wholly satisfactory arrangement. Of course there were counties and counties. Many used to get on very well with the old parish constable, and might get on with him very well still; but in other counties disorder occasionally arose, and the question was who was to have the command of the police for the purpose of repressing that disorder. No doubt it was quite true that in boroughs that power was exercised very well by the Municipal Bodies, but those Bodies had existed for a very long time and had been educated in this duty by a long course of history. No doubt the County Councils would reach that point in due time, but they had not reached it yet. They must think of what would be the effect in some counties if the whole management of the police in the case of disorder was placed in the hands of purely elected members. He thought, in regard to certain social questions, that might seriously compromise the interests of law and order in the county on some conceivable occasion. He had thought of substituting the power of the Secretary of State over the Chief Constable in place of the joint committee in cases of riot and disorder; but there were obviously many difficulties and objections to that arising from local feeling. He proposed to counteract to some extent that phrase—

"The powers, duties, and liabilities of the Quarter Sessions and of Justices out of Session shall be left to the County Council"—

by providing that—

"it shall be the duty of the Chief Constable or other constables in an county to obey the lawful order of the Justices in Petty Sessions to prevent the occurrence of riot and disorder in that county."

He was sorry that the House of Commons had changed the arrangement which was originally proposed in the Bill; but, still, he thought it better on the whole to leave the clause in the state in which it came from the other House, merely providing in the way he proposed for cases of riot and disorder.

LORD HERSCHELL said, he could hardly imagine that it should ever have been intended to take away the powers of the Justices in regard to riot and disorder. The Justices were liable to indictment for misdemeanour if they did not take every necessary step for the purpose of putting down riot and disorder, and these functions could not possibly be performed by a joint committee. He thought, therefore, that in order to make this provision workable, it was essential to provide that nothing therein contained should alter the rights, powers, duties, and liabilities of the Justices as conservators of the peace. The best way would be simply to provide for the continuance of the power to preserve the peace now vested in the Justices.

THE MARQUESS OF SALISBURY said, he thought the suggestion of the noble and learned Lord was perfectly reasonable. It was a matter of such importance that he himself desired to introduce some precautionary words, and the proposal of the noble and learned Lord seemed to meet the case. The Government, however, would consider the question before Report.

THE DUKE OF ARGYLL said, he was personally unacquainted with the details of English local administration.

But there seemed to be considerable confusion as to the ultimate power of directing the police to enforce the law. There seemed to be some confusion on the subject; but he was glad to hear from his noble and learned Friend that the duty of preserving the peace was now cast on every Justice. In Ireland and in some parts of England and Wales he regretted to see that resistance to the law was becoming not uncommon. In the matter of tithes, for example, such resistance was not infrequent in Wales, and there seemed to be a doubt as to who could issue orders to the Chief Constable. In the Hebrides and other parts of Scotland the collection of school rates was getting to be a difficult matter.

THE EARL OF KIMBERLEY said, he was old enough to remember disturbances in some parts of the country, and he might mention the Swing riots in his own county.

LORD BASING thought the language of the clause wanted revision. He would move to omit certain words at the end of Sub-section 2, as he was of opinion that it should be clearly expressed that the only powers transferred to the County Councils were those that were now exercised by the Police Committees. He would also move to omit Sub-section 3.

LORD BALFOUR hoped the noble Lord would not press his first Amendment. The Government were willing to omit Sub-section 3.

Sub-section 3 *struck out.*

LORD HERSCHELL said, in his opinion the more the police were controlled by elective bodies the stronger would be their action in the restoration and preservation of order. On the other side of the Atlantic, as they knew, the police acted with great vigour under popular control. If they acted in a manner which led people to complain, then they could go to those who controlled the police—namely, the people themselves. It was with the people the responsibility rested for the action of the police. The more they brought the police under Executive control the more they weakened their power, and, instead of strengthening the Government, they enormously weakened it. The farther they removed the control of the police from the Central Authority the more certain were they of safety in the enforcement of the law. Even the blunder of a single constable, at a time of electioneering excitement, might give rise to complications that would endanger the existence of a Government here or turn the elections, and he had no desire to see the Government of this great country depend upon the outbursts of popular feeling arising from popular elections.

THE MARQUESS OF SALISBURY said, it was valuable to have the opinion of noble and learned Lords, and he did not widely differ from some of the comments which had just been made; but the noble and learned Lord had left out of view the value to the Central Authority of having the control of the police at times when the danger was concentrated in a particular centre. Then the Central Authority could concentrate their strength, which would not be the case if the police were under the control of a large number of elective bodies. He confessed that the attitude of the Government towards the disturbances in the Highlands in the last few years was not entirely satisfactory, as in sending the Marines he thought there was something grotesque. If they could combine the police of adjoining counties or divisions of counties and concentrate them on a given spot it would render these abnormal efforts unnecessary.

Clause, as amended, *agreed to.*

Clause 10 (Transfer to county council of powers of certain Government departments and other authorities) *agreed to.*

Clause 11 (Entire maintenance of main roads by county council).

Amendment *moved,*

In page 6, line 38, insert as a new Sub-section—"Provided that the county council may, if they think fit, levy a special rate on any parish through which a main road passes, towards the expense of its repair and maintenance, such special rate not to exceed one-half the total cost of maintaining such road within the parish in any one year."—(*The Lord Herries.*)

LORD BALFOUR said, he must oppose the Amendment, which would, he held, be going back on a principle which had been adopted for a number of years. The Amendment would give the County Council arbitrary power to select for special burdens particular parishes. To this he must object.

Amendment (by leave of the Committee) *withdrawn.*

On the Motion of The Lord BALFOUR, the following Amendment was *agreed to*:—

"A main road, and the materials thereof, and all drains belonging thereto, shall vest in the county council, and where any sewer or other drain is used for any purpose in connection with the drainage of any main road the county council shall continue to have the right of using such sewer or drain for such purpose, and if any difference arises between a county council and any highway or sanitary authority as respects the authority in whom the drain is vested, or as to the use of any sewer or other drain, the council or the highway or sanitary authority may require such difference to be referred to arbitration, and the same shall be referred to arbitration in manner provided by this Act."

Clause, as amended, *agreed to.*

Clause 12 (Roads and tolls in Isle of Wight) *agreed to.*

Clause 13 (Adaptation of Act to South Wales roads) *agreed to.*

Clause 14 (Power to county council to enforce provisions of Rivers Pollution Prevention Act, 1876) *agreed to.*

Clause 15 (Council to have power to oppose Bills in Parliament).

THE EARL OF JERSEY pointed out that County Councils would have power to oppose Bills in Parliament, but not to promote them. He moved that they should have the latter power also.

Amendment *moved*, in page 10, line 17, after ("opposing,") insert ("and promoting").—(*The Earl of Jersey.*)

THE EARL OF WEMYSS thought that the power should be given subject to the check of the ratepayers.

EARL BEAUCHAMP said, he was opposed to the Amendment. It was desirable that these new and untried Bodies should learn to walk before attempting to run.

LORD BALFOUR said, that the power of promoting Bills stood on a different footing from the power of opposing, the latter being sometimes necessary for the protection of interests which were threatened, whereas the power of promotion was not necessary at the outset. On the general ground, therefore, that it was premature to give the Councils the power of promoting Bills at present, and that it was not necessary for the protection of any interest of their constituents, he hoped the House would not consent to the Amendment.

THE EARL OF JERSEY said, he would not press the Amendment, though he thought the power sought would soon be granted.

Amendment (by leave of the Committee) *withdrawn.*

THE EARL OF WEMYSS proposed to give the County Council the power of promoting Bills and other schemes in Parliament, subject to the control of the ratepayers, in the same way as the Municipal Bodies were controlled under the Borough Funds Act.

THE MARQUESS OF SALISBURY submitted that it would be much better to give no powers of promotion at present, whether with or without the consent of the ratepayers. He thought Parliament should wait a little time and see how the Councils worked, and, besides, it was always easy for Parliament to give them the necessary powers.

EARL FORTESCUE remarked, that it would be a cumbrous and expensive process to consult the ratepayers in a large rural area as compared with a compact area like a municipal borough.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 16 (Power of county councils to make bye-laws) *agreed to.*

Clause 17 (Power of county councils to appoint medical officer) *agreed to.*

Clause 18 (Qualification of medical officers of health).

LORD TRURO moved to omit the words allowing the Local Government Board to dispense, in cases where they might see fit, with the necessity for the medical officer being legally qualified for the practice of medicine, surgery, and midwifery. He contended that the words added no significance to the clause.

Amendment *moved*, in page 11, line 23, leave out from the beginning of the clause to ("no") in line 25.—(*The Lord Truro.*)

LORD BALFOUR said, he did not think it desirable that these words should be struck out. There were special cases known to the Local Government Board in which it was necessary for them to exercise this dispensing power, without which great hardship might be caused. There were cases of men who had the

ability and experience qualifying them to hold these appointments, who, nevertheless, had not all the technical qualifications. On the authority of the Local Government Board he could state that in their opinion it was absolutely necessary to retain this dispensing power.

Amendment (by leave of the Committee) *withdrawn.*

Lord TRURO said, he begged to move the omission of the words which confined the necessity of legal qualifications for an officer of health to the cases of those appointed for a borough or district of over 50,000 inhabitants. It had only been by an accident that an Amendment to this effect had not been brought up in the House of Commons, and it had been understood that it would have had a fair chance of being accepted. What was contended was that small localities should have the same guarantees of fitness in the case of candidates for the post of medical officer as was the case in the larger communities. Petitions had been presented from various very distinguished Medical Corporations remonstrating against the proposal to which he now objected.

Amendment *moved*, in page 11, line 32, leave out from ("districts") to ("unless") in line 34.—(*The Lord Truro.*)

Lord BALFOUR said, that it was not possible to accept this Amendment. It was true that the effect of the clause was to impose higher qualifications in the case of medical officers of large communities than in that of smaller ones. Some of the diplomas, however, had not long been in existence; and if the necessity were imposed of holding these diplomas in the case of candidates for smaller communities it would be absolutely impossible to fill up vacancies as they occurred, and the expense would in many other cases be seriously increased.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

Clause 19 (Power of county council as to report of medical officer of health) *agreed to.*

Financial Relations between Exchequer and County, and Contributions by County for Indoor Paupers.

Clause 20 (Payment to county council of proceeds of duties on certain licences) (local taxation licences) *agreed to.*

Clause 21 (Grant to county council of portion of probate duty) *agreed to.*

Clause 22 (Distribution of probate duty grant) *agreed to.*

Clause 23 (Application of duties on transferred licences, local taxation licences, and probate duty grant) *agreed to.*

Clause 24 (Payments by county council in substitution for annual local grants out of Exchequer in aid of local rates) *agreed to.*

Clause 25 (As to Secretary of State's power respecting efficiency of police) *agreed to.*

Clause 26 (Grant by county council towards costs of officers of union) *agreed to.*

Clause 27 (Supplemental provisions as to local taxation account and Exchequer contribution account) *agreed to.*

General Provisions as to Transfer.

Clause 28 (General provisions as to powers transferred to county council).

The Earl of JERSEY said, he begged to move the omission of the words authorizing the County Council to delegate any power or duty transferred by this Act to it in respect of the execution of the Act relating to contagious diseases of animals.

Amendment *moved*, in page 21, line 16, after ("1875") leave out ("or of the Act relating to contagious diseases of animals").—(*The Earl of Jersey.*)

Lord BALFOUR said, that it would be necessary, if these words remained, to put in words on the Report stage for the purpose of protecting the existing powers of delegation to a committee composed partly of Justices and partly of persons who were not Justices. He thought that that would be the best way of meeting any difficulty.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

Clause 29 (Summary proceeding for determination of questions as to transfer of powers) *agreed to.*

Clause 30 (Standing joint committee of quarter sessions and county council

for the purpose of police, clerk of the peace, officers, &c.) *agreed to.*

PART II.

APPLICATION OF ACT TO BOROUGHS, THE METROPOLIS, AND CERTAIN SPECIAL COUNTIES.

Application of Act to Boroughs.

Clause 31 (Certain large boroughs named in the schedule to be treated as counties) *agreed to.*

Clause 32 (Adjustment of financial relations between counties and boroughs) *agreed to.*

Clause 33 (Provision as to police and rateable value) *agreed to.*

Clause 34 (Application of Act with modifications to county boroughs) *agreed to.*

Clause 35 (Application of Act to larger quarter sessions boroughs not treated as counties) *agreed to.*

Clause 36 (General application of Act to boroughs with separate commission of the peace) *agreed to.*

Clause 37 (Application of Act to quarter sessions boroughs hereafter created) *agreed to.*

Clause 38 (Application of Act to smaller quarter sessions boroughs with population under 10,000).

On the Motion of The Lord BALFOUR, Amendment made, after ("1882") in sub-section (b), by inserting as a separate paragraph—

"The council of the borough shall be a highway authority, and the borough a highway area within the meaning of the Highways and Locomotives Act Amendment Act, 1878."

Clause, as amended, *agreed to.*

Clause 39 (Application of Act to boroughs with population under 10,000).

On the Motion of The Lord BALFOUR, Amendment made, in page 33, line 22, at end of line, by inserting as a separate paragraph—

"(1.) The urban authority for any borough or town with such population as above in this section mentioned shall cease to be the local authority under the Acts relating to explosives, and the county council shall have the like authority under the said Acts in the said borough or town as they have in the rest of their county."

Clause, as amended, *agreed to.*

Application of Act to Metropolis.

Clause 40 (Application of Act to metropolis as county of London) *agreed to.*

Clause 41 (Position of city of London) *agreed to.*

Clause 42 (Arrangement for paid chairman and sitting of quarter sessions for London).

On the Motion of The Lord THRING, Amendment made, in page 38, after ("area,") by inserting—

"Upon the hearing of any appeals in relation to property in the city of London, such two members of the court of quarter sessions of the city of London as may be appointed by that court for the purpose shall be entitled to attend and sit as members of the quarter sessions for the county of London."

THE MARQUESS OF SALISBURY, in moving to leave out ("recorder,") and after ("judge") add—

"And from and after the next vacancy no recorder shall exercise any judicial functions unless he is appointed by Her Majesty to exercise such functions,"

said, he thought the City of London had been somewhat severely dealt with in the House of Commons with regard to the appointment of Recorder. He thought it hard that because it was considered desirable to remove the judicial powers from the Recorder, therefore the Corporation should lose the power of appointing the Recorder, an officer required for other duties in the City than that of Judge at the Central Criminal Court. He proposed this Amendment which, he thought, would do only justice to the Corporation. With regard to the Common Serjeant, the City did not attach so much importance to the office as they did to that of the Recorder, and they were not disposed to press their views in opposition to the views of the House of Commons.

Amendment *moved*,

In page 39, line 4, leave out ("recorded,") and after ("judge") add ("and from and after the next vacancy no recorder shall exercise any judicial functions unless he is appointed by Her Majesty to exercise such functions.")—(*The Marquess of Salisbury.*)

LORD HERSCHELL asked what other duties did the Recorder discharge besides those of a judicial nature? He did not object to the Amendment of the noble Marquess, if the duties to be discharged were to be limited as suggested.

THE LORD CHANCELLOR (Lord HALSBURY) said, the Recorder attended as Law Officer on the Corporation, and discharged a great many other duties besides those connected with the Central Criminal Court. The Amendment would only secure for the City the right which every other Municipality had of appointing a Law Adviser.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 43 (Grant by London county council to poor law unions) *agreed to.*

Clause 44 (Transfer of duties under 32 and 33 Vict. c. 67, of clerk of metropolitan asylum managers) *agreed to.*

Clause 45 (Adjustment of land as to slaughter-houses in the metropolis) *agreed to.*

Application of Act to Special Counties and to Liberties.

Clause 46 (Application of Act to certain special counties).

THE MARQUESS OF BRISTOL said, he moved to insert "and the eastern and western divisions of Suffolk," thus creating two separate administrative counties in Suffolk for the purposes of the Act.

Amendment *moved*, in page 40, line 30, after ("1865") insert ("and the eastern and western divisions of Suffolk").—(*The Marquess of Bristol.*)

LORD HENNIKER said, he might, perhaps, be allowed to make some remarks on the Amendment moved by his noble Friend behind him, as he had been Chairman of Quarter Sessions for the Eastern part of the County of Suffolk for more than 18 years. He would not follow the noble Marquess into the historical part of the question. This was purely a matter of sentiment; he respected it; but this Bill appeared to him to be peculiarly inapplicable in dealing with the matter of sentiment, as it did away to a great extent with the power of Quarter Sessions — a most ancient institution. No one of their Lordships would, however, for a moment bring such an argument forward as an argument against the passing of the measure. The question of the division of Suffolk was one of great local importance. He would go as shortly as he could into the practical history of the case. In East Suffolk the opinion was unanimously in favour of one County Council for the whole county. The opinion was in favour of the Bill as it was introduced by the Government, and as it was passed by a majority of 27 in the House of Commons. The noble Marquess had spoken of the number of Petitions he had presented in favour of the division. He had presented many Petitions from East Suffolk—from Samford, from Ipswich, Hartismere, Hoxne, Lowestoft, Blything, Woodbridge, and the Stowmarket Local Board. The noble Marquess spoke of the Stow Board of Guardians being in favour of his proposition. The proposition had been three times before the Board, which carried a resolution against it once, then reversed it, and a few days ago were equally divided. All the Members for East Suffolk and the Members for Ipswich were in favour of one County Council, the Court of Quarter Sessions the same, and, in fact, all East Suffolk were in favour of this view; while West Suffolk were not unanimous. Near Ipswich they were in favour of the view held by East Suffolk, and one of the Chairmen for West Suffolk—Major Barnardiston—was strongly in favour of the view he (Lord Henniker) took. At the outset he would say that the inhabitants of East Suffolk had only one object—the benefit of the whole county. When he said that, he meant the great majority, which was even greater now than in 1881, as the population of East Suffolk was increasing, while the population of West Suffolk was decreasing. Even in 1881, the population of West Suffolk had decreased in 10 years by 2,064; while East Suffolk had increased by 7,580. He must explain that Suffolk was not like Lincolnshire. There was only one Commission of the Peace, the Courts of Quarter Session were held by adjournment from one place to another, the Court being held on the statutable day at Ipswich. Some years ago there were four Courts of Quarter Sessions and four areas of taxation; but Beccles and Woodbridge combined with Ipswich, and, although the same arguments were brought forward now as then, no inconvenience had arisen. On the contrary, the change had been a great benefit to all concerned. There were now several joint committees between the two divisions, and since the date of the amalgamation he had mentioned there

was only one police force for the whole county. In all these matters the West Suffolk Court had been simply a Court of Record, and, if the Motion was carried, that would be continued. He wished to show the result of the partial amalgamation. Take the police for the first 13 years of amalgamation. East Suffolk saved £1,600 11*s.* 4*d.*, and West Suffolk £4,487 12*s.* 0*d.* The rate in 1867-8 for East Suffolk was 1¾*d.* in the £1; in West Suffolk, 2½*d.* in the £1. In 1880-1 the East Suffolk rate was 1⅛*d.*; in West Suffolk, 1⅝*d.* in the £1. That proved how much West Suffolk profited. Again, the coast line was the improving part of the county; while West Suffolk was purely agricultural — decreasing, as everyone knew, in value—so amalgamation must be of service to West Suffolk, as they would profit by the increased rateable value. At one time there were three gaols in Suffolk, which cost £4,680 a-year. Now there was only one, which cost £2,662, or less. But he went further. He believed joint action was a great saving, as the force of example was of great service. What had been the result of this small amalgamation? In 1867-8 the rate in East Suffolk had been 2*d.* in the £1, in West Suffolk 3*d.* In 1873-4 2½*d.* and 2*d.*; and in 1880-1, 1½*d.* and 1¼*d.*, so that one division benefited in 1873-4 and both divisions profited in 1880-1. Whatever the causes were, it was fair to say joint action had done good. However, he looked more to the principle and the example than to figures. Some years ago there was a partial amalgamation of two Unions. Sentiment came in there, but was set aside. The amalgamation had been successful. These were both small amalgamations, but were fair arguments to bring forward in favour of the one County Council he and those who acted with him wished to see formed. He was not in favour of too large areas, too much centralization; but to show that he was not speaking without consideration, he would compare Suffolk to other counties. In Suffolk there was a population of 356,863 by the last Census, where there were two Courts of Quarter Sessions. In Essex, a neighbouring county, there was a population of 575,930, with one Court; in Norfolk, another neighbouring county, a population of 444,825, with one Court for county affairs and two for criminal business; in Stafford, 981,385 population, with one Court. In 1882, there was called in Suffolk a general Court of Quarter Sessions; a committee was appointed to consider the question of amalgamating the county of Suffolk. This committee was appointed to please the West Suffolk magistrates, and they had a majority upon it. They were convinced that the proposal was a right one, and so reported to Quarter Sessions, where the report was carried. However, there was an Act passed to serve Suffolk, at the instigation of the then Chairman of Quarter Sessions, Mr. Austin, the well-known Parliamentary lawyer, in which it was laid down that a resolution should be carried at each Court in favour of amalgamation, so as to make sure that the separate rating of the different divisions should not be in the way. That Act had never been used in any case since; but it defeated the majority of the inhabitants of the county, as the small number of magistrates around Bury, and the small number of inhabitants who had taken the matter up, refused to pass a resolution — a Resolution which was only necessary for county affairs. This was the position up to now. One word as to general convenience and distance he might be allowed to say. Of course, if one place was pointed to, Ipswich, the great county town, must be the place of meeting. So many went there from all parts of the county that the inconvenience would be little; but, after all, the number of County Councillors would be small, and surely they would be ready to make some sacrifice in the public service to reduce the rates for the benefit of everyone in the county. As to distances, there were many convenient trains to and from Ipswich to West Suffolk, and that had more to do with the matter than the actual distance now-a-days. Ipswich was a railway centre, the most important centre on the Great Eastern Railway; it was 26 miles from Bury St. Edmunds—one hour by train at most; Lowestoft, now in the Ipswich Quarter Sessions district, 48 miles. No inconvenience had been complained of in this respect. Newmarket was 40 miles only from Ipswich, and was the most extreme point of West Suffolk; in fact, partly in Cambridgeshire. The question of distance was not one of any importance. It was said that the business would all

be managed on one side of the county; but their Lordships knew quite well that the business always fell to the lot of a few of the best business men to transact. There was a safeguard, too, that if the county was rated at one particular place, the whole county would be rated, and so no injustice as to expenditure could be done. He must repeat what he had said before—there was no desire except to benefit the whole county. The proposition now before the House was one to retain all that could benefit West Suffolk, without thought of East Suffolk. For example, it was proposed to take part of East Suffolk into West Suffolk by altering the boundaries, giving to West Suffolk an extra £50,000 of rating basis. However, if sentiment was to prevail, East Suffolk hoped to be entirely separate from West Suffolk, except so far as the County Lunatic Asylum was concerned, as the Western Division had a property in this. The East Suffolk people wished the boundaries left as they were; but he (Lord Henniker) hoped their Lordships would not alter the Bill or the decision of the House of Commons.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) said, that the noble Earl who was so shocked earlier in the evening at the Government leaving the matter an open question would be again horrified when he stated that the same thing was going to happen again. This point was an open question in their Lordships' House as it had been in the House of Commons. Though the noble Lord who had just sat down was a Member of Her Majesty's Government, he should be under the necessity of voting in the opposite Lobby. He did not intend to argue the question, which was an absolutely local matter; but he might say that he had received two deputations, one from East and the other from West Suffolk, who had argued the question at much greater length than it had been discussed there. Under these circumstances he had formed the best judgment he could, and, considering the existing difficulties of access, and, he might add, the peculiarities of the Great Eastern Railway—his own railway—he thought that his Friend the noble Marquess had made out his case.

LORD GWYDIR opposed the Amendment. He said that a large majority of the inhabitants of North, East, and South Suffolk were practically unanimous in favour of retaining the unity of the county, while only a small minority of the residents in West Suffolk were in favour of separation. The great bulk of residents of all heads of political opinion were opposed to the separation. He maintained that no good or substantial reason had been shown for the proposition.

LORD THURLOW said, that, as a landowner in Suffolk, he had gone into this question with considerable interest. The bulk of his land was in East Suffolk, but it was far from him not to recognize the strong claims of West Suffolk to individual county machinery. He trusted that their Lordships would take the opportunity of amending a serious local error in the other House and would agree to the Amendment.

THE LORD CHANCELLOR (Lord HALSBURY) pointed out that, as regarded the magistrates, Suffolk was divided into three parts, and not two.

On Question? Their Lordships *divided*: —Contents 59; Not-Contents 20: Majority 39.

THE MARQUESS OF EXETER, in moving that the soke of Peterborough and the residue of the county of Northampton should be respectively separate administrative counties for the purposes of the Act, said, that there was no Opposition of any kind to this proposition in the county.

Amendment *moved*,

In page 40, line 35, at end of line, insert as a separate paragraph.—"The soke of Peterborough and the residue of the county of Northampton shall be respectively separate administrative counties for the purposes of this Act referred to as divisions of the county of Northampton."—(*The Marquess of Exeter.*)

Amendment *agreed to.*

On the Motion of the Earl of CRAWFORD, Amendment made, at the end of Sub-section 5, by adding—

"And subject as aforesaid the position and salary of any such chairman or justice (in the county of Lancashire) shall not be affected by any provision of this Act."

Clause, as amended, *agreed to.*

Clause 47 (Saving for Manchester Assize Courts Act, 1858).

Sub-section 2 *omitted.*

Clause, as amended, *agreed to.*

Clause 48 (Saving for salaried chairman of quarter sessions in Lancashire) *struck out.*

Clause 49 (Merger of liberties in county).

Amendment *moved*,

In page 44, line 9, after ("this Act") insert —(5.) "Provided always, that if before the 31st day of December, 1888, application is madeto the Local Government Board by the quarter sessions of the county of Kent, and by the town councils and local boards of such of the Cinque Ports, and their liberties and members as are situate within the county of Kent, or any of them, that a separate county should be formed for the Cinque Ports, the Local Government Board may make a Provisional Order forming such county, which shall be called 'the county of the Cinque Ports,' and which shall include such of the Cinque Ports as are situate within the county of Kent, and such of the liberties and members of the same, and such parts of the county of Kent adjacent to such Cinque Ports, liberties, and members, as may seem necessary or proper to the Local Government Board for the purpose of making the area of the county of the Cinque Ports self-contained and convenient for administrative purposes.

With the consent of the quarter sessions of the county of Sussex, and of the town council of the borough of Rye, such Order may include within the county of the Cinque Ports the borough of Rye and such parts of the county of Sussex adjacent to the said borough as to the Local Government Board may seem necessary or proper.

The Provisional Order may contain such provisions as may seem necessary or proper for regulating the first election of the county council, for providing that the area proposed to be included in the county of the Cinque Ports should continue to form part of the county of Kent, or the county of Sussex, as the case may be, until a date named in such Order, for the adjustment of property and liabilities between the county of the Cinque Ports and the counties of Kent and Sussex respectively, and generally for making the provisions of this Act applicable to the county of the Cinque Ports."—(*The Earl Granville.*)

LORD BALFOUR regretted that it was not possible to accept the Amendment. The Cinque Ports were not contiguous to each other, and there was no bond which united them, and their case was not analogous to the two divisions of Suffolk, or the Soke of Peterborough, which had just been before them. The proposed area would take an undue proportion of the rateable value of the county of Kent. Nor did the noble Lord propose to take all the towns, as some of them were situated in Sussex. The proper course to take would be to apply for a Provisional Order under Clause 8 of the Bill, but he did not hold out any hope that it would succeed.

EARL GRANVILLE regretted that the Government could not accept his Amendment. There was much to be said in favour of not absorbing the Cinque Ports into the county. For more than 500 years they had been separate, and 11 out of the 15 boroughs in Kent were in the Cinque Ports. The opinion of all who were most competent to give an opinion was that there never had been any difficulty with regard to the administration of the Cinque Ports, and that no difficulty was anticipated if the Amendments were carried. It was difficult for those who did not reside in the Cinque Ports to understand the amount of feeling that existed in view of the proposal to absorb them in the county. The Justices of Kent had expressed themselves in favour of the Amendment, believing that if the Cinque Ports were created a separate county, it would be of advantage for themselves and the whole of Kent.

LORD BRABOURNE strongly supported the claims of the Cinque Ports to be made a county of themselves. He felt all the more bound to do so because he had studiously refrained from taking part in the local agitation upon the subject. He earnestly begged their Lordships' attention to this point. If the proposal of the Bill had been to merge the Cinque Ports entirely in the county, and, saving present rights, to abolish this separate jurisdiction, the issue would have been comparatively simple. On the one side there would have been the strong local opposition to the abolition of an ancient institution, whilst upon the other it would have been urged that considerations of practical utility and of economy pointed to the consolidation of separate jurisdictions in the same county. But that was not what was proposed. The ancient jurisdiction of the Cinque Ports was to be preserved, so that whatever of inconvenience now existed on account of the clashing of authorities, would continue to exist, whilst for the first time the inhabitants of the Cinque Ports would be liable to county rate and to serve on county juries, so that the proposal of the Government was really not one in the direction of consolidation but confusion. Take, for instance, the question of Police; as the Bill stood, Sandwich and Hythe, with populations under

10,000, would have county police—whilst Dover, Ramsgate, Margate, and Folkestone would have their own police. How much better and more simple it would be to have an amalgamated force, one Cinque Port county police and one Cinque Port county rate. The Cinque Ports had already an organization of their own, and the Government were proposing really to alter matters, not in the way of consolidation, but in a manner that could be productive of no final settlement of the question. Moreover, whilst the sentiment in the Cinque Ports themselves was strong and undoubted, what had been the action of the County Authority outside the Cinque Ports? He (Lord Brabourne) had that day presented a petition from the Justices of Kent signed by the Chairman of General Sessions, praying that their Lordships would adopt the clause of the noble Earl. Now, if the Government wished the Bill to be workable, they must endeavour to make it popular, and seeing there was a strong local sentiment in favour of the claim now made, he saw no reason why it should not be conceded. The only valid reason for which so strong a local sentiment could be opposed would be founded upon considerations either of symmetry, of economy, or of convenience. As far as symmetry was concerned the Government had cut the ground from under their feet, not only by concessions made to other counties, but by the fact of their having taken Canterbury out of the county, and Hastings, one of the Cinque Ports themselves, out of the county of Sussex. As to economy, who were so well able to judge of the probable economical results as the Justices of the county of Kent, who had hitherto had the management of the county finance, and who had actually petitioned in favour of this clause. Moreover, if its adoption should cause any expense by the creation of new officers, that expense would fall upon the Cinque Ports, who would have no right to complain, and who were perfectly ready to undertake it. As to convenience, surely the inhabitants of the localities affected should be the best judges, and these were the people who desired the adoption of the clause. Therefore, alike on the grounds of symmetry, economy, and convenience, he maintained that the position taken up by the Government could not be defended.

Lord Brabourne

In assenting to this clause—which was merely a permissive one—the Committee would not be going so far as had been done in the case of the county of Suffolk or in that of the county of Northampton. His noble Friend (the Marquess of Bristol) had spoken of the diversity of interests between seaboard towns on the West Coast of Suffolk and the interior of the county. It was the same in Kent, and the Cinque Port Coast towns and the interior part of the county felt alike that they ought not to be united. Under the proposed clause nothing could be done unless the Authorities, both of the county and Cinque Ports, agreed to apply to the Local Government Board, and every opportunity would be given for so forming the Cinque Port county as to make an intelligible and workable arrangement. His noble Friend (Lord Henniker) had deprecated sentiment on such matters, but he (Lord Brabourne) hoped the day was far distant when England would be governed only by stern logic to the exclusion of sentiment. He had only lately been reading Lord Palmerston's speech at his inauguration as Lord Warden, in which he said that nothing dignified men more than an honourable attachment to ancient institutions. This was the sentiment of the inhabitants of the Cinque Ports, and it was one which was honourable to them, and to concede to which would be no dishonourable concession.

VISCOUNT HARDINGE stated that he was not surprised that the noble Earl and the noble Lord below, who had represented a cinque borough for so many years, had brought this Amendment forward. The noble Earl was under a misapprehension, for the question had never been before Quarter Sessions. A Parliamentary Committee had been appointed to map out and arrange electoral districts, and this Parliamentary Committee had no authority from the Court to petition Parliament; so that it was a mistake to say that the Justices were unanimous. He would be content to rest his vote on what fell from the noble Lord in charge of the Bill. The objections on geographical grounds, as well as the fact that this Amendment would take away from the county a large amount of rateable value, were, in his opinion, insurmountable.

EARL GRANVILLE, with all respect to the noble Viscount, submitted that

his individual opinion was hardly worth that of all the magistrates who were present at Quarter Sessions and signed the Petition.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK) said, the Parliamentary Committee no doubt authorized the Petition, but not the Quarter Sessions. Though the clause was only permissive, it was a permissive clause of a very extensive character, and he was not prepared to assign to the Local Government Board the absolute control in this matter.

LORD BRABOURNE said, it was only fair that the action of the Kent Quarter Sessions should be rightly understood. They had appointed a special committee in April last to watch and consider this Bill, and on June 29th they had re-appointed the committee, and authorised them to take such additional steps as such committee might deem urgent, and the committee had deemed it necessary and urgent to petition in favour of the proposed Clause 7, and during the whole of this time and at the meeting on June 29 it had been perfectly well known that the agitation in favour of making the Cinque Ports a separate county was going on. There was, therefore, plenty of time and opportunity for anyone to have objected, and he thought it rather hard for noble Lords to come down now and disavow the action of their regularly appointed committee.

LORD BALFOUR observed, that the noble Lord had stated that the proposed clause would be merely permissive; but for his own part he thought that it would practically amount to a somewhat peremptory direction. What they were now asked to make into a county had never been an administrative area. With regard to the question of expenses, one of the great objections to this proposal was that a district containing a large amount of the rateable value of the county would be taken out of it, and the proposal would thus be unfair to the remainder of the county.

EARL GRANVILLE said, that he was always unwilling to put their Lordships to unnecessary trouble, and he knew that it was running his head against a wall to go to a Division against the Government; but he was encouraged by the fact that the noble Marquess had announced that this was an open question.

THE MARQUESS OF SALISBURY: Certainly.

EARL GRANVILLE: In these circumstances, he would ask their Lordships to divide upon the question, as he hoped that noble Lords would decline to follow so inconsistent and illogical a course as, after agreeing to the separation of East and West Suffolk against the wish of the former division, to divide in the opposite sense when both parties had petitioned for the separation.

On Question? Their Lordships *divided*:—Contents 32; Not-Contents 35: Majority 3.

Clause *agreed to.*

Clause 50 (Power to make Provisional Order for Scilly Islands) *agreed to.*

PART III.

Boundaries.

Clause 51 (Boundary of county for first election) verbally amended, and *agreed to.*

Clause 52 (Directions for constitution of electoral divisions).

Amendment *moved*,

In page 46, line 31, after Sub-section (4) insert, as a separate Sub-section—"In constituting electoral divisions care shall be taken so to adjust the boundaries that such divisions may admit of being easily converted into administrative areas for some of the purposes of local government."—(*The Lord Thring*).

LORD BALFOUR said, the proposed sub-section was so vague that it would be of no practical value.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

Clause 53 (Determination by first county council of positions of overlapping rural sanitary districts) *struck out.*

Clause 54 (Provisional Order as respects boroughs and urban sanitary districts in same area) *agreed to.*

Clause 55 (Consideration of alterations of boundaries by county councils) *agreed to.*

Clause 56 (Future alterations of boundaries of county and borough and of electoral division of a county) *agreed to.*

Clause 57 (Power to amalgamate two combined boroughs) *agreed to.*

Clause 58 (Future constitution of new boroughs) *struck out.*

On the Motion of Lord BALFOUR, the following clause was inserted :—

"When a petition is presented to Her Majesty the Queen by the inhabitant householders of any town or towns or district in pursuance of the Municipal Corporations Act, 1882, for the grant of a charter of incorporation, notice of such petition shall be given to the county council of the county in which such town, towns, or district is or are situate, and shall also be sent to the Local Government Board, and the Privy Council shall consider any representations made by such county council or the Local Government Board, together with the petition of such charter."

Clause 58A (Future alteration of county districts and parishes and wards, and future establishment of urban districts) *agreed to.*

Clause 59 (Additional power of Local Government Board as to unions) *agreed to.*

Clause 60 (Supplemental provisions as to scheme or order) *agreed to.*

Clause 61 (General provision as to alteration of boundaries) *agreed to.*

Clause 62 (Appointment of Commissioners) *agreed to.*

Clause 63 (Adjustment of property and liabilities).

On the Motion of The Lord BALFOUR, Amendment made in page 55, line 18, at end, insert as a separate paragraph—

"An arbitrator appointed under this Act shall be deemed to be an arbitrator within the meaning of the Lands Clauses Consolidation Act, 1845, and the Acts amending the same, and the provisions of those Acts with respect to an arbitration shall apply accordingly ; and, further, the arbitrator may state in a special case, and, notwithstanding anything in the said Act, shall determine the amount of the costs and shall have power to disallow as costs in the arbitration the costs of any witness whom he considers to have been called unnecessarily, and any other costs which he considers to have been incurred unnecessarily."

Clause, as amended, *agreed to.*

Clause 64 (Arbitration by Local Government Board) *agreed to.*

PART IV.

FINANCE.

Property Funds and Costs of County Council.

Clause 65 (Transfer of county property and liabilities).

On the Motion of The Lord HENNIKER, the following Amendment was *agreed to :—*

"Where any property is subject to a charitable trust nothing in this Act shall affect the trust, and until otherwise directed by the Charity Commissioners for England and Wales the trustees or managers of the charity shall be appointed in like manner as if this Act had not passed; and,"

On the Motion of The Marquess of EXETER, the following Amendment was *agreed to :—*

"The county council of the soke of Peterborough shall be liable to repair the county bridges in the soke, and if any costs are incurred by the county council of the county of Northampton for the benefit of the soke, an adjustment thereof shall be made by agreement, or by arbitration in manner provided by this Act."

Clause, as amended, *agreed to.*

Clause 66 (Power to purchase lands) *agreed to.*

Clause 67 (Costs of justices to be payable out of county fund) *agreed to.*

Clause 68 (Adjustment of law as respects costs of prosecutions) *agreed to.*

Clause 69 (Funds of county council) *agreed to.*

Clause 70 (Borrowing by county council).

THE EARL OF MEATH said, he moved to insert the word "colonization" after "emigration" in sub-section D. The effect of this would be to give County Councils power to make advances in aid of the emigration or colonization of the inhabitants of a county. For the purpose of effectually aiding emigration, it was necessary that steps should be taken for settling the new colonists.

Amendment *moved*, in page 60, line 20, after ("emigration") insert ("colonization").—(*The Earl of Meath.*)

LORD ZOUCHE, in supporting the Amendment, said, that a short time ago a Committee of both Houses was appointed to consider the question of State-aided Colonization, and special reference was then made to the difference between mere emigration and colonization. Colonization included the development of unoccupied Colonial land.

LORD BALFOUR said, that he did not clearly understand what distinction there was between emigration and colonization. As, however, the clause was permissive, he did not see that there was any harm in accepting the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 71 (Issue of county stock) *agreed to.*

Clause 72 (Audit of accounts of county council) *agreed to.*

Clause 73 (Adaptation of Part V. of 45 & 46 Vict. c. 50, as to corporate property and liabilities) *agreed to.*

Local Financial Year and Annual Budget.

Clause 74 (Fixing of local financial year and consequent adjustments).

On the Motion of The Lord BALFOUR, the following Amendment was inserted at end of clause:—

"(2.) All enactments relating to accounts of local authorities, or the audit thereof, or to returns touching their receipts and expenditure, or to meetings, or other matters, shall be modified so far as is necessary for adapting them to the provisions of this section, and the Local Government Board shall from time to time give such orders and make such arrangements as appear to the Board to be necessary or proper for effecting such adaptation and giving effect to the provisions of this section."

Clause, as amended, *agreed to.*

Clause 75 (Annual budget of county and district councils) *agreed to.*

PART V.

SUPPLEMENTAL.

Application of Acts.

Clause 76 (Application of Municipal Corporations Act, 1882, to county councils and this Act) *agreed to.*

Clause 77 (Amendment of County Electors Act, 1888) *agreed to.*

Clause 78 (Residential qualifications of county electors in administrative county of London) *agreed to.*

Clause 79 (Construction of Acts referring to business transferred) *agreed to.*

Proceedings of Councils and Committees.

Clause 80 (Incorporation of county council) *agreed to.*

Clause 81 (Payments out of fund and finance committee of county council) *agreed to.*

Clause 82 (Appointment of joint committees).

On the Motion of The Lord BALFOUR, Amendment made, in page 72, line 10, by leaving out from ("counties and") to the end of the sub-section, and inserting—

"A standing joint committee may be appointed for two or more counties, and the members of such joint committee shall be appointed by the several quarter sessions and councils in such proportion and manner as they respectively may arrange, and in default of arrangement as may be directed by a Secretary of State."

Clause, as amended, *agreed to.*

Clause 83 (Proceedings of committee) *agreed to.*

Officers.

Clause 84 (Clerk of the peace and of county council) amended, and *agreed to.*

Clause 85 (Appointment of justices' clerks and clerks of committees) *agreed to.*

Clause 86 (Making of bye-laws as to tricycles) *agreed to.*

Clause 87 (Adaptation of Lunatic Asylum Acts).

THE EARL OF KIMBERLEY urged that the auditors should be sufficient in number to discharge their duties within a reasonable period.

LORD BALFOUR said, that the Act placed the auditors under the Local Government Board. He would, however, call attention to the point raised by the noble Lord.

Clause *agreed to.*

Clause 88 (Application of provisions of 38 & 39 Vict. c. 55, as to local inquiries and provisional order) *agreed to.*

Clause 89 (Adaptation of Act to metropolis) *agreed to.*

Clause 90 (Adjustment of law as regards courts, juries, sittings at nisi prius, and legal proceedings in Middlesex and London) *agreed to.*

Clause 91 (Special provisions as to adjustment in the metropolis) *agreed to.*

Clause 92 (Adjustment as regards the Militia Acts) *agreed to.*

Savings.

Clause 93 (Saving for votes at any Parliamentary elections) *agreed to.*

Clause 94 (Saving for metropolitan and city police) *agreed to.*

Clause 95 (Saving for metropolitan common poor fund) *agreed to.*

Clause 96 (Saving as to Middlesex, Surrey, and Kent) *agreed to.*

On the Motion of The Lord FITZ-GERALD, the following new clause was inserted, after Clause 96 :—

"Nothing in this Act shall alter the area to which the enactments relating to the registration of land in the county of Middlesex apply, and any reference in those enactments or in any deed, instrument, or document made or issued under or for the purpose of those enactments to the county of Middlesex shall be construed to apply to the same area to which it would have applied if this Act had not passed."

The following Clauses were agreed to, with Amendments :—

Clause 97 (Saving as to liability for main roads).

Clause 98 (Saving for powers of Commissioners of Inland Revenue and Customs).

Definitions.

Clause 99 (Definition of "written").

Clause 100 (Interpretation of certain terms in the Act).

Clause 101 (Extent of Act).

Clause 102 (Short title).

PART VI.

TRANSITORY PROVISIONS.

First Election of County Councillors.

Clause 103 (First election of county councillors).

Clause 104 (Retirement of first county councillors).

Clause 105 (Preliminary action of county councillors as provisional council).

Clause 106 (First proceedings of provisional council).

General Provision as to First Elections.

Clause 107 (Casual vacancies at first elections).

Clause 108 (Power of Local Government Board to remedy defects).

Appointed Day.

Clause 109 (Appointed day).

Transitional Proceedings.

Clause 110 (Current rates, jury lists, &c.).

Clause 111 (Transitory provisions as to lunatic asylums).

Clause 112. (Transitory provisions as to Contagious Diseases (Animals) Acts).

Transitory Provisions as to Metropolis.

Clause 113 (Transitory provisions as to sheriffs of London and Middlesex).

Clause 114 (As to existing coroners for Middlesex, Surrey, and Kent).

Clause 115 (As to commission of the peace for London).

Clause 116 (As to places for holding quarter sessions).

Clause 117 (As to existing justices in metropolis).

On the Motion of The Lord BALFOUR, Amendment made, in page 97, line 5, at end by adding as a new sub-section—

"(6.) Nothing in this Act shall affect existing deputy lieutenants appointed by the Constable of the Tower of London as Lord Lieutenant of the Tower Hamlets."

Clause, as amended, *agreed to.*

Existing Officers.

Clause 118 (Existing clerks of the peace and other officers) *agreed to.*

Clause 119 (As to officers transferred to county council) *agreed to.*

Clause 120 (Compensation to existing officers).

LORD HERSCHELL said, he begged to move an Amendment to this clause, which he thought would prevent any injustice from occurring—

Amendment *moved,*

At the end of sub-section (1.) insert ("except that in the case of a freehold office the officer holding any such office at the time of the passing of this Act shall be entitled to compensation calculated upon his salary and emoluments for the five years immediately preceding the passing of this Act").—(*The Lord Herschell.*)

LORD BALFOUR thought that the words erred on the side of excess, as they might be held to mean that the compensation was to be the actual gross amount of the salary and emoluments. He would suggest that the noble and learned Lord might bring up amended words on the Report stage.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

Remaining Clauses *agreed to.*

The Report of the Amendments to be received on *Wednesday* next; and Bill to be *printed*, as amended. (No. 267.)

MARRIAGES VALIDATION BILL. [H.L.]

A Bill to remove doubts as to the validity of certain marriages solemnized by a person falsely pretending to be an ordained clergyman of the Church of England—Was *presented* by the Lord Chancellor; read 1ª; to be *printed;* and to be read 2ª *To-morrow;* and Standing Order XXXV. to be considered in order to its being dispensed with. (No. 256.)

STATUTE LAW REVISION (NO. 2) BILL. [H.L.]

A Bill for further promoting the revision of the Statute Law by repealing superfluous expressions of enactment, and enactments which have ceased to be in force or have become unnecessary—Was *presented* by The Lord Chancellor; read 1ª. (No. 258.)

House adjourned at a quarter before Two o'clock a.m., till half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 6th August, 1888.

MINUTES.]—NEW WRIT ISSUED—*For* Liverpool (West Derby Division), *v.* Lord Claud John Hamilton, Manor of Northstead.

SELECT COMMITTEES — *Report* — East India (Hyderabad Deccan Mining Company) [No. 327].

Fourth Report—Navy Estimates [No. 328].

SUPPLY — *considered in Committee* — *Resolutions* [August 4] *reported.*

WAYS AND MEANS—*considered in Committee*—*Resolution* [August 4] *reported.*

PUBLIC BILLS — *Ordered* — *First Reading* — Registration of Assurances (Ireland) * [369].

Second Reading—Copyhold Acts Amendment [298]; Land Charges Registration and Searches [356].

Committee—*Report*—Consolidated Fund (No. 3).

Considered as amended—*Third Reading*—Merchant Shipping (Life Saving Appliances) [290], and *passed.*

Withdrawn — Supreme Court of Judicature (Ireland) Amendment * [131].

QUESTIONS.

LAND LAW (IRELAND) ACT, 1881, SEC. 19—LABOURERS' DWELLINGS.

SIR CHARLES LEWIS (Antrim, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is in a position to state in what number of cases of applications to fix fair rents under the Land Act of 1881, the Land Commissioners having made an order under the 19th section of the Act for the erection of labourers' dwellings, such orders have been complied with, and the number of cases in which steps have been taken to enforce such orders?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): In the absence of my right hon. Friend the Chief Secretary, I may be allowed to answer the Question. The Local Government Board find that orders respecting labourers' dwellings have been made by the Irish Land Commission under Section 19 of the Land Law Act, 1881, in 132 Poor Law Unions. In the case of 11 of these Unions, however, the Returns received are in an incomplete state, and will probably not be ready for a few days. They show that 87 orders have been made in those 11 Unions, but further details are wanting. In the case of the 121 Unions where the Returns are complete, 743 orders were made. Of these, 466 have been complied with, 310 in due course, and 156 after steps had been taken to enforce obedience. The remaining 277 have not yet been complied with. In 45 of these latter cases the necessary steps have been taken by the Sanitary Authority to enforce obedience to the order; in 225 cases no steps have been taken; and in seven cases the period of six months authorized for carrying out the order has not yet expired.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, whether it was a fact that in the county represented by the hon. Baronet (Sir Charles Lewis) no orders had been made for the erection of labourers' cottages, nor even a scheme formulated, while in every other county in Ireland labourers' cottages had been built?

MR. MADDEN said, the Return did not distinguish between the different counties, and therefore he could not answer the Question of the hon. Member.

SCIENCE AND ART DEPARTMENT (IRELAND) — THE BOTANIC GARDENS, GLASNEVIN.

DR. TANNER (Cork Co., Mid) asked the Secretary to the Treasury, Whether

it is the intention of the Department of Science and Art to provide a house in the Botanic Gardens, Glasnevin, for succulent plants; whether such a structure has been both planned and estimated for by the Department; and, whether it is a fact that letters approving of, and stating the necessity for, such work being carried out have been received from the Department at intervals during the past 30 years?

THE SECRETARY (MR. JACKSON) (Leeds, N.): The desirableness of such a structure has been recognized, and plans and estimates have been prepared for it by the Board of Works; but other more pressing improvements have taken precedence, which have entailed a considerable outlay.

DR. TANNER asked, whether much additional space is required in Professor M'Nab's laboratory at Glasnevin; and whether, in consequence of the annually increasing number of students, and the inconvenience occasioned because of the limited space afforded, steps would be immediately taken to remedy the requirements of the case?

MR. JACKSON: The laboratory has been found sufficient till recently; but as the number of students is increasing, I will see what steps can be taken, in concert with the Board of Works, to enlarge it.

IRISH LAND COURT—CASES LISTED IN CO. ANTRIM.

MR. W. P. SINCLAIR (Falkirk, &c.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the number of cases listed in County Antrim for hearing in the Land Court is at present unusually large; what number of cases have been placed on the list since September last year; if he can say when the next Land Commission Court will sit in that county; and, if he is unable to give an exact date, does he think that the number of cases awaiting adjudication is so great as to warrant his drawing the special attention of the Land Commissioners to the accumulation of unheard cases in County Antrim?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: The Land Commissioners inform me that the number of cases in the County Antrim now waiting to be heard is 2,120, of which 371 have been lodged since September last. They expect to be able to appoint a Sub-Commission to sit in that county in November.

In reply to further Questions by Mr. M'CARTAN (Down, S.) and Mr. W. P. SINCLAIR,

MR. MADDEN said, he had no doubt that the long interval which had elapsed since the last sitting of the Sub-Commission in the County Antrim was due to pressure of business elsewhere. He had no doubt that the question of appointing more Sub-Commissioners would receive the consideration of the Government.

NORTH AMERICAN FISHERIES—THE ALASKAN WATERS.

MR. GOURLEY (Sunderland) asked, Whether it is correct that four captured British sealing schooners have been brought to Port Townsend by a United States tug, and that they are to be put up for sale on August 22; and, whether any arrangement is likely to be arrived at with the United States Government and that of the Dominion of Canada for the purpose of preventing illegal fishing, and the indiscriminate destruction of seal fish by Canadians in Alaskan waters?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: We have heard that four British schooners, seized last year in Behring's Sea, are being taken from Sitka to Port Townsend for sale by the United States Marshal. Her Majesty's Minister at Washington has been instructed to request the United States Government to postpone the sale, pending a settlement of the question as to the legality of the seizures. Negotiations are in progress for the protection of the seal fisheries.

LAW AND POLICE—DRUNKEN SOLDIERS AND SAILORS IN RAILWAY CARRIAGES.

MR. JOHNSTON (Belfast, S.) asked the President of the Board of Trade, If his attention has been called to a number of letters in *The Standard* newspaper describing the outrageous conduct of drunken soldiers and sailors thrust into railway carriages at Willesden Junction; and, whether he will take steps that will prevent the recurrence of such action on

the part of the railway officials, whereby the safety of passengers is endangered?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.): I have made some inquiry into the matter referred to, and I find that three out of 47 discharged soldiers, for whom special accommodation was provided, escaped from the observation of the station officials at Willesden Junction, and got into an ordinary compartment, where they misbehaved themselves. They were taken from the train at Tamworth and brought before a magistrate, who imposed a trifling fine on account of their previous good character. There has been communication between the Horse Guards and the Railway Company, and steps will be taken to prevent the recurrence of such annoyance, and attendants at refreshment bars will be cautioned not to serve the men.

INDIA—SIR LEPEL GRIFFIN.

MR. BRADLAUGH (Northampton) asked the Under Secretary of State for India, Whether the Secretary of State for India is aware of the grave dissatisfaction which is felt in India, particularly among the native population, in consequence of the proceedings of Sir Lepel Griffin, late Governor General's Agent to the Central Indian Feudatory States, while in charge of the Central Indian Agency, especially is respect to the State of Bhopal; whether he is aware that the female Ruler of that State is alleged to have been subjected by Sir Lepel Griffin to serious indignities as follows:—

"Abusing the Nawab Consort in a public Durbar in the Begum's Palace and in the Begum's presence;

"Requesting the appointment of a Secret Agent, whose existence was not to be made known to the Viceroy or the Agent's (Sir Lepel Griffin's) subordinates;

"Making private visits to the Begum's daughter against the Begum's vehement protests, and at a time when the Agent was aware of domestic disagreement between the Begum and her daughter;

"Compelling the Begum to pay the debt of a certain pensioner, and to make certain contributions against Her Highness's expressed objections;

"Compelling the Begum to dismiss two faithful old servants of the State, and to deport them from Bhopal;

"Violating Act 9 of the Treaty securing the Begum in her rights, interfering with the internal affairs of the State, and compelling Her Highness, out of the State Treasury, to re-imburse a Turkish trader 6,851 rupees for goods alleged by him to have been stolen from him;

"Compelling the separation of the Begum from her husband for eight months, that is, until Lord Dufferin interve ned;

"And, refusing to transmit to the Governor General, Kharitas, setting forth Her Highness's grievances and her defence, addressed by the Begum to Lord Dufferin;"

whether the Secretary of State has seen certain letters alleged to have been written by Sir Lepel Griffin to the Begum from May, 1881, to May, 1886; whether it is true that Sir Lepel Griffin has been appointed Resident at the Court of His Highness the Nizam of Hyderabad; and, whether, considering the dissatisfaction which has been caused by the proceedings of Sir Lepel Griffin in his relations with Native States, the Secretary of State will take any action in the matter?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: The Secretary of State is aware that dissatisfaction has been expressed by certain vernacular newspapers and pamphlets in India with regard to Sir Lepel Griffin's proceedings while in charge of the Central India Agency, in respect to the Bhopal State; but no Memorial, either from the Begum of Bhopal or any other person, complaining of Sir Lepel Griffin's proceedings has ever been received by the Secretary of State; and he believes that the view the Government of India have taken of the charges so preferred through the Press is that they have no foundation in fact. With regard to the specific indignities to which the Begum is alleged to have been subjected by Sir Lepel Griffin, the Secretary of State has no information except that the late administrative measures as conducted in Bhopal have met with the approval of the Government of India. As for certain letters alleged to have been written by Sir Lepel Griffin to the Begum, the Secretary of State has no official information. The selection of an officer for the post of Resident at Hyderabad is within the discretion of the Governor General; and no report of any selection has yet been made.

MR. BRADLAUGH: You say the Government have no official information. Has the Government any information to communicate to the House?

SIR JAMES FERGUSSON: No, Sir; the Secretary of State, I am informed, has no information on the subject.

PUBLIC MEETINGS (IRELAND)—ORANGE DEMONSTRATION AT ENNISKILLEN—SERGEANT MAJOR HOUNSEL.

MR. CAREW (Kildare, N.) (for Mr. W. REDMOND) (Fermanagh, N.) asked the Secretary of State for War, Whether Sergeant Major Hounsel, of Enniskillen, attended an Orange demonstration in that town on July 12; and, whether officers of the Army are allowed to go to party demonstrations provided only that they are in plain clothes?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): As regards the Sergeant Major, I called for a full Report of the circumstances after the hon. Member gave me a photo of the platform; but it has not yet been received from Ireland. As regards the second paragraph of the Question, the Regulation is that no officer or soldier can attend a political meeting in uniform; and if he be in plain clothes he may not attend one in barrack quarters, camps, or their vicinity.

CRIMINAL LAW—CONFESSION OF A MURDER IN 1879.

MR. MILVAIN (Durham) asked the Secretary of State for the Home Department, Whether his attention has been called to a confession relating to a burglary committed at Edlingham Vicarage, in the County of Northumberland, in 1879, for which two men were in that year convicted; and, if so, whether he proposes to take any action in the matter?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; my attention has been called to what purports to be a confession in this case; and I have authorized the Treasury Solicitor to take a statement from the man who is alleged to have made the confession, in case he be willing to make such a statement.

INDIA—COOLIES—MORTALITY IN TEA GARDENS.

MR. S. SMITH (Flintshire) asked the Under Secretary of State for India, Whether his attention has been drawn to the treatment of coolies described in a despatch issued at Calcutta on the 5th of May, 1888, from the Secretary to the Indian Association to the Secretary to the Government of India, wherein it is stated that—

"Since the passing of the new Emigration Act, in 1882, the mortality in the tea gardens has largely and steadily increased. The death-rate, which followed a downward course from 1878 to 1881, began to rise in 1882, when it was 37·8 per 1,000. In 1883 there was a further rise to 41·3; and in 1884 it arose to 43·2:

"In 1884 the death-rate among children in tea gardens had risen from 39·7 to 44 per 1,000. While the death-rate increased, the birth-rate gradually fell; in 1882 it was 39·7 per 1,000; in 1883 it was 34·3; and in 1884 it further decreased to 32·7 per 1,000;"

and, whether any steps are being taken by the Government of India to see that effect is given to the assurance made in 1883 by Mr. Elliot, then Chief Commissioner of Assam—

"That no exertions will be wanting on the part of the civil and medical staff of the Assam Commission to wipe out the blot on the administration, of which this terrible mortality is the cause?"

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: The Memorial of the Indian Association referred to has not been received at the India Office. In November, 1886, the Secretary of State requested the Government of India to watch narrowly the working of the Emigration Act of 1882. In 1885 the rate of mortality sank to 36·8 per 1,000, and in 1886, notwithstanding the prevalence of cholera, it was only 39·8. The Secretary of State is confident that the Government of India will take due notice of the representations made by the Indian Association; and will not hesitate to enforce, wherever necessary, the adoption of such measures as will lead to the greater health of the labourers in the Assam tea gardens.

ISLANDS OF THE SOUTH PACIFIC—THE LOYALTY ISLANDS—EXPULSION OF THE REV. JOHN JONES.

MR. JOHNSTON (Belfast, S.) asked the Under Secretary of State for Foreign Affairs, If he is able to give any further information concerning the expulsion, by the French, of the Rev. John Jones from Mahé, one of the Loyalty Islands; and, whether there are any Papers respecting the case which he will lay upon the Table of the House?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): I regret to say that the French Government adhere to the position they have taken up, and there is no hope of their re-admitting Mr. Jones to Mahé. They have the right, if they please, to expel a foreigner. It should be stated that nothing has been proved to the satisfaction of Her Majesty's Government in any way affecting the character of this gentleman, who, they believe, has carried on a Christian and meritorious work. Papers on the subject will be given if the hon. Member chooses to move for them.

STATE OF IRELAND—BOYCOTTING—MURDER OF —— FORHAN.

MR. BYRON REED (Bradford, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been drawn to the following paragraph in *The Kerry Sentinel*, of August 1—

> "Some years ago a man, named Edmund Walsh, was evicted from his holding, at Gale, by Lord Ormathwaite, for failing to pay an exorbitant rack-rent. The exact circumstances under which Forhan became the owner of Walsh's evicted farm some time subsequent to the eviction are not known, but Forhan was, ever since he took the farm, regarded as a land-grabber, and to a certain extent treated as such;"

whether he has any information as to the character of the treatment here referred to; whether, in consequence of it, Forhan had been afforded police protection; and, whether that protection was being still afforded to him at the time of his murder?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: The Inspector General of Constabulary reports that Thomas, not Edmund, Walsh, was evicted from his holding in April, 1883, for non-payment of three years' rent. Forhan took the farm about 10 months afterwards, and was thereupon treated as a landgrabber and Boycotted. No one would buy from him; no one would work for him; no one would associate with or even speak to him. In consequence of this he had police protection for about a year, when at his own request it was withdrawn. This personal protection was not subsequently renewed; but police patrols ambushed occasionally at night in the neighbourhood of Forhan's residence.

MR. BYRON REED asked, if the hon. and learned Gentleman would state what protection the Government were prepared to extend in future to persons living under such circumstances?

MR. MADDEN remarked that each case must depend upon the circumstances. It was obviously impossible to make any general statement.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, if the Solicitor General was aware that it was shown in evidence before the Bessborough Commission that the Poor Law valuation of the farm was £22, and that the rent was £66; whether it was not the fact that the tenant, before the eviction, offered to pay the rent less the law costs; whether the National League in the district was suppressed about a year ago, and that the full powers of the Crimes Act were applied; and, whether the Government did not agree that the suppression of the League tended to the promotion of crime instead of preventing it?

MR. MADDEN said, he had no special information as to the fact relating to the eviction. If the hon. Gentleman desired he would inquire.

THE INQUEST AT MITCHELSTOWN ON MR. MANDEVILLE.

MR. ROWNTREE (Scarborough) asked Mr. Solicitor General for Ireland, When the shorthand writer's Report of the proceedings at the inquest on the late Mr. John Mandeville will be in the hands of Members of this House?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): The entire of the shorthand writer's notes of the proceedings at the inquest of Mr. Mandeville have not yet been received. I am, therefore, unable to state the exact date at which they will be in the hands of hon. Members; but I can assure the hon. Member that every effort is being made to expedite the preparation of the Returns?

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, in view of the letter published that day from the hon. Member for East Cork (Mr. Lane), that Dr. Ridley, late Surgeon of Tullamore Gaol, told him he was perpetually in friction with the Prisons Board about the treatment of pri-

soners under the Crimes Act, the Solicitor General for Ireland had any objection to lay all Correspondence between the Prisons Board and Dr. Ridley on the Table, as well as a note of any verbal communication made by the Board to Dr. Ridley?

SIR CHARLES LEWIS (Antrim, N.) asked, if the hon. and learned Gentleman had any information as to why the hon. Member for East Cork (Mr. Lane) had not been examined before the Coroner?

MR. MADDEN said, he was not able to give any information to the House with reference to the Question of the hon. Baronet. The shorthand writer's notes, and everything which was given in evidence at the inquest on Mr. Mandeville, would be laid on the Table. If the hon. Member (Mr. Sexton) required any additional Papers, he must ask for them in the usual way.

MR. FLYNN (Cork, N.) inquired, whether it was not a fact that the hon. Member for East Cork would be examined at the inquest on Dr. Ridley, on Wednesday?

MR. MADDEN said, that might be so; but he had no specific information on the subject.

CIVIL BILL ACT (IRELAND)—MEMORIAL OF OFFICERS.

MR. MAURICE HEALY (Cork) asked Mr. Solicitor General for Ireland, Whether his attention has been called to the Memorial from the Irish civil bill officers, praying that the salary allowed them under the Civil Bill Act should be increased; whether it is the fact that at present a civil bill officer is only paid £10 a-year, together with the small fees for service paid by litigants; whether he is aware that several of the County Court Judges have publicly commented on the desirability of improving the position of the civil bill officers, and that all the County Court Judges are in favour of such a course; and, whether, in view of the difficulty of procuring respectable officials for so small a salary, he will consider the advisability of revising a rate of wages fixed at a remote period when the circumstances of the county were wholly different?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): My attention has been called to this matter by the Question of the hon. and learned Member. There would be a difficulty in increasing the amount of the fees, having regard to the desirability of keeping down the cost of Civil Bill proceedings, and no increase of the annual salary could be made without the consent of the Treasury. I shall, however, be glad to consider the matter in detail, with a view to seeing whether anything can be done.

HIGH COURT OF JUSTICE (IRELAND)—NEW RULE.

MR. MAURICE HEALY (Cork) asked Mr. Solicitor General for Ireland, Whether his attention has been called to the Report of a Committee of the Incorporated Law Society of Ireland drawn up in March last, and complaining, amongst other things, of the Rule made by the Master of the Rolls and the Vice Chancellor preventing any action set down after July 14, and any Motion set down after July 19, from being heard before November, notwithstanding that the Long Vacation does not begin before August 8; whether a copy of this Report was sent by the Incorporated Law Society to the Judges; and, if so, with what result; and, whether, in view of this expression of opinion by the Incorporated Law Society as to the inconvenience of the Rule in question, he will submit to the Master of the Rolls and the Vice Chancellor the advisability of abrogating it?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): I have no official information as to the matters referred to in the second paragraph of the Question. In answer to a former Question, I stated the objects with which the notice referred to had been issued for many years by the Master of the Rolls, by his predecessor, Sir Edward Sullivan, and by the Lord Chancellor, and I then stated that the matter is not one in which the Government have power to interfere.

MR. MAURICE HEALY: Does the hon. and learned Gentleman say that, no matter what Rule is made by a Judge, the Executive have no power to interfere?

MR. MADDEN: The Executive have no power to interfere with any Rule made by a Judge for the facilitating of the business of his Court.

WAR OFFICE (SMALL ARMS) — THE COMPOUND RUBINI CARTRIDGE.

MR. D. A. THOMAS (Merthyr Tydvil) asked the Secretary of State for War, Whether any information, either official or private, has now been received as to the failure in Switzerland of the compound Rubini cartridge, having a loose brass ring, issued for trial with the new magazine rifle, in consequence of the loose brass rings, in which the bullets are seated, blowing forward; whether any information has been received as to the determination of the Swiss Military Authorities to abandon or to adopt the particular pattern of cartridge in question; and, whether any inquiry has been made?

THE SECRETARY OF STATE (Mr. E. STANHOPE)(Lincolnshire, Horncastle): I have heard, incidentally, that the Rubini cartridge has not been altogether successful in Switzerland; but I have no official knowledge on the subject. Experiments with this cartridge have been made for the War Office for the purposes of the new magazine rifle. The new rifle is not dependent on this cartridge; but the best cartridge for its purpose which can be discovered will be used.

PATENTS—WAR OFFICE OFFICIALS—SIR FREDERICK ABEL.

MR. D. A. THOMAS (Merthyr Tydvil) asked the Secretary of State for War, Whether there is any, and what, Rule in regard to paid Government officials taking out patents; whether Patent No. 14,803, applied for on November 15, 1886, was granted to Sir Frederick Augustus Abel for a manufacture of smokeless explosive, he being at that time chemist to the War Office; and, whether he is still chemist to the War Office, patentee of a smokeless explosive, and at the same time Chairman of a Committee appointed to report upon the merits of various explosives submitted to the War Office as suitable for Her Majesty's Service?

THE SECRETARY OF STATE (Mr. E. STANHOPE)(Lincolnshire, Horncastle): A War Office official, before taking out a patent, is required to have the sanction of the Secretary of State. In November, 1886, Sir Frederick Abel, then chemist to the War Department, patented a smokeless explosive; and he states that he did so for the purpose of reserving to the War Department the right of making and using it. Sir Frederick Abel has ceased to be War Department chemist; but he is president of the Committee on Explosives, which would decide on the merits of explosives submitted to the War Office.

PRISONS (IRELAND) — DIETARY OF PRISONS—REPORT OF THE ROYAL COMMISSION.

MR. JAMES STUART (Shoreditch, Hoxton) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, on July 23, 1885, while Dr. M'Cabe was a member of the Prisons Board, a Circular (No. 328) was issued by the Prisons Board to the Governors of prisons in Ireland with reference to the recommendations contained in the Report of the Royal Commission on improving the dietary of prisoners; whether the following occurs in that Circular, a copy of which the Governors were specially instructed to hand to the prison doctors:—

"Having regard to the fact that Class II. diet, as it stood before the addition of two pints of milk in Ireland, had remained for some years in operation in English prisons, and that it has been found sufficient to maintain the health of English prisoners; if the medical officer considers the two pints of milk unnecessary he will be good enough to state whether he considers the original diet for Class II. sufficient;"

whether he is aware that it is stated in the Report of the Royal Commission that—

"Due consideration ought to be given to the fact that the condition of such prisoners in Ireland is, in many cases, and especially in Dublin, different from that of the same class in England, their previous habits, the quality of their food, and their generally low physical condition of health, rendering them more susceptible to the effects of prison discipline;"

whether Dr. M'Cabe was present at the meeting of the Prisons Board where the Circular (No. 328) was adopted; and, whether the result of that Circular has been to induce medical officers of prisons to go counter to the Report of the Royal Commission?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: The General Prisons Board state that the Circular relating to prison dietary referred to by the hon. Member was issued in 1886,

not in 1885. Dr. M'Cabe was then medical adviser to the Board, but was not a member of it, and was not present at the meeting of the Board when the Circular was adopted. The Circular invited the medical officers to state their opinions and their experience of the effects observed while the new diet was in use. They were not requested to report in favour of the old diet. The result of the Circular has not been to induce medical officers to go counter to the recommendation of the Royal Commission—the recommendation in question was that two pints of milk daily should be added to the diet—that is, 14 pints weekly. Of this weekly ration 11¾ pints are still issued, and 1½lb. of bread was given in place of the remaining 2¼ pints of milk, in consequence of its being found in practice that the milk did not form a desirable combination with soup, which is issued at dinner three times weekly.

POOR LAW (IRELAND)—DOWNPATRICK BOARD OF GUARDIANS.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the report of the proceedings of a meeting of the Downpatrick Board of Guardians, as published in *The Down Recorder* of July 28, and to a letter read at that meeting from a number of ratepayers in the Killough Division of the Downpatrick Union; whether these ratepayers complained that no Division in Ireland, similarly situated, is so highly valued, and requested the Board to send their valuator to re-value the Division, and "equalize it with the rest of the Union;" whether Colonel Forde, the Chairman, stated, in reply, that the Commissioners could not reduce the valuation, as they had power only to increase it; and, whether he will take steps to relieve the ratepayers of this Division from the excessive rates and cess which such a valuation causes to be imposed upon them?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said, the reply to the inquiry in the first paragraph of the Question was in the affirmative. The Chairman's observations would be seen, by reference to the newspaper report, to have solely referred to rates which might be put on in cases of the erection of new buildings. The case was one for the consideration of the Commissioners of Valuation, who gave attention to such cases annually at the proper time. The instructions of the Commissioners were acted on by the Guardians.

MR. M'CARTAN: Do I understand the hon. and learned Gentleman to say that it is within the power of the Valuation Commissioners to vary the valuation?

MR. MADDEN: Yes, Sir.

TURKEY (ASIATIC PROVINCES)—MRS. BARKER—THE COURT AT ALEPPO.

MR. MUNRO FERGUSON (Leith, &c.) asked the Under Secretary of State for Foreign Affairs, Whether it is the fact that Mrs. Barker, a British subject residing at Aleppo, who was violently dispossessed of her house there by a dragoman attached to the Turkish Governer of Aleppo, remains unable to recover possession of her house and compensation for the injuries she has suffered, because the Turkish Court refuses to carry out the judgment it has pronounced in her favour; whether the Turkish authorities, on being appealed to to require the Court to enforce its sentence, reply by advising Mrs. Barker to bring an action against the Judges of the Court; and, whether Her Majesty's Government, considering the long and oppressive denial of justice from which this lady has suffered, will represent to the Turkish Government the hardship of the case (which was brought to their knowledge more than a year ago), and will endeavour to obtain due redress and better security for British subjects living in the Sultan's dominions?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): Mrs. Barker brought an action against Jed in the Aleppo Court for recovery of her house; it was decided in her favour by the Court of First Instance and Court of Appeal. Jed then appealed to the Court of Cassation at Constantinople. That Court was ready, on the 31st of January last, to give judgment on either party making application for it, and Mrs. Barker was advised by the Embassy to appoint an agent to do so. This advice she has not followed, and consequently Sir William White took the only step open to him, and requested the Minister of Justice to recommend the settlement of the case

to the Court of Cassation. With reference to the criminal proceedings at Aleppo, Mrs. Barker complained that her adversary had bribed the members of the tribunal; but the opinion of the Embassy and Consul General at Constantinople is that unless she can succeed in proving this, she must appeal to a higher Court, and that, as the accused is not a British subject, Her Majesty's Government would not be justified in interfering against the sentence of the Aleppo Court.

WAR OFFICE — ROMAN CATHOLIC ARMY CHAPLAINS.

MR. NOLAN (Louth, N.) asked the Secretary of State for War, How many vacancies for Roman Catholic Army chaplains there are at present, and how soon the authorities intend filling them?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): My reply, on the 24th of February last, to the hon. Member for East Donegal (Mr. Arthur O'Connor) still holds good; that is, it is not proposed to commission at present any more Roman Catholic chaplains, as there are no stations vacant at which there are sufficient troops of that denomination to justify such an appointment.

SPAIN—COMPENSATION TO OWNERS OF THE "MARY MARK."

MR. W. F. LAWRENCE (Liverpool, Abercromby) asked the Under Secretary of State for Foreign Affairs, When the owners of the *Mary Mark* may expect the payment to them of the compensation awarded by the arbitrators seven months ago for the destruction of their vessel by the Spanish man-of-war some four years since?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): I am not surprised that dissatisfaction is felt on account of the delay in the payment of the compensation in this case. Her Majesty's Government have done what they could to hasten it; and on the 4th of this month they heard that the money was in the hands of the Spanish Minister of Marine. Her Majesty's Chargé d'Affaires was at once instructed by telegraph to receive and transmit it, and I think that it may be expected to arrive immediately.

PRISONS (IRELAND) — GALWAY PRISON—TREATMENT OF MR. BLUNT.

MR. MACARTNEY (Antrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact, as stated by Mr. Blunt in *The Freeman's Journal*, that Dr. Kinkead, surgeon of Galway Prison, was summoned before the Prisons Board in Dublin, and cautioned by Mr. Bourke, the Chairman of the Board, regarding Mr. Blunt; whether Dr. Kinkead was forbidden to take Mr. Blunt into hospital, except in the case of serious illness, or threatened with the interference of another doctor if he should so remove Mr. Blunt; and, whether Dr. Kinkead ever received directly or indirectly either from the Chief or Under Secretary to the Lord Lieutenant of Ireland, or the Prisons Board, or any member thereof, any instructions as to how he was to treat prisoners, political or others?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: The allegations contained in Mr. Blunt's letter referred to in the Question are without foundation. Dr. Kinkead received no instructions in the matter other than those which he had before him in the ordinary Prison Rules.

THE MAGISTRACY (IRELAND) — THE CORK POLICE COURT.

DR. TANNER (Cork Co., Mid) asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true, as stated in the Cork daily papers of Tuesday 24th instant, that Mr. Gardiner, R.M., was again absent from the Cork Police Court. That in his absence Sir George Penrose tried the case of Thomas Ahern, who was charged by Sergeant Knox with coming up to him in a threatening manner in Patrick Street with a walking stick in his hand; whether the report correctly states that it was sworn that while the prisoner was

"Walking in Patrick Street the sergeant came up and kept staring at him; then after a little time he asked the sergeant if he thought he was either a robber or murderer, and told him if he had any charge against him to make it,"

and for this he was arrested. That Sir George Penrose then said—

"You appear to be a very bad boy. The police would not be doing their duty if they

passed you by without staring at you. You are fined 40*s*., or a month;"

whether Sergeant Knox, who stared at the prisoner, has been on several occasions incarcerated in a lunatic asylum; whether the report is true that in the next case tried, an Artilleryman, named Michael Seward, was charged and convicted of having assaulted an old man named Thomas Weston and attempting to commit an indecent assault upon his grandchild, and that the same magistrate fined him 30*s*., or 21 days; and, if the circumstances are as stated, whether the attention of the Lord Chancellor will be directed to the conduct of the magistrate, and the sentences imposed by him in these instances?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: Ahern was drunk and disorderly in the public streets of Cork, for which offence he was arrested by Sergeant Knox by order of his Head Constable. Ahern was brought up at the Police Court on July 23, the Bench consisting of two local magistrates, the Resident Magistrates being engaged on duty elsewhere. The accused was fined 40*s*., or one month's imprisonment with hard labour. There were 11 previous convictions against him for drunkenness and assault. There was no such matter sworn to as that alleged in the second paragraph. The remarks attributed to one of the magistrate are substantially correct. Sergeant Knox has not been on several occasions incarcerated in a lunatic asylum. He was, upwards of seven years ago, in one for some days through a paroxysm of grief owing to a serious domestic affliction; but the Resident Medical Superintendent of the asylum stated that he could not discover the slightest trace of insanity, and the sergeant was discharged. He is reported by his officers to be a very good policeman. Michael Seward, a Militiaman, was charged with being drunk and assaulting Thomas Weston. The assault was a trivial one, and there was no previous conviction against the accused. He was fined for drunkenness 10*s*. and for assault 20*s*. No such charge as that of having attempted to commit an indecent assault appears to have been made against the accused.

DR. TANNER inquired if the hon. and learned Gentleman had not seen the report that the man was fined for an indecent assault as well as for an aggravated assault upon an old man?

MR. MADDEN said, his information differed entirely from that which the hon. Gentleman had been supplied with. No such charge appeared to have been made against him.

THE PARKS (METROPOLIS)—BATTERSEA PARK—DISMISSAL OF EMPLOYES.

MR. O. V. MORGAN (Battersea) asked the hon. Member for the Knutsford Division of Cheshire, Whether any, and what, decision has been arrived at as to the superannuation to be granted to the men who have for many years been employed at Battersea Park, and who have been dismissed by the Metropolitan Board of Works since that Body has taken over the control of the Park?

COLONEL HUGHES (Woolwich) (who replied) said: The only men formerly employed at Battersea Park to whom the Board is legally empowered to grant pensions are those who would have had a right to a pension if they had continued to serve under the Commissioners of Her Majesty's Works. All the men who had such right, and who have been discharged by the Board since Battersea Park came under its control, have had pensions granted to them. With respect to the discharged men who had no such right, it is clearly beyond the Board's statutory authority to make any pecuniary provision for them.

METROPOLITAN BOARD OF WORKS—ISLE OF DOGS—RAIN FLOODS.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar) asked the hon. Member for the Knutsford Division of Cheshire, What explanation the Metropolitan Board of Works can give of the cause of the further disastrous flooding that took place in the Isle of Dogs on the afternoon and evening of Monday, July 30; whether the flooding was chiefly due to the fact that the capacity of the main sewers proved insufficient to take off the water; and, what steps the Board proposes to take in order to prevent the recurrence of such a calamity?

COLONEL HUGHES (Woolwich) (who replied) said: The flooding in the Isle of Dogs on Monday was due to the torrential storm of rain which occurred on the evening of that day, and at a time when

the tide was rising; under quite different conditions, therefore, from the flooding on the 26th of June last, about which the hon. Member asked a Question at the time. Both the temporary engines were working their hardest the whole time, all the engineers, stokers, and flap-keepers being on the spot, and everything that was possible having been done by them. I am quite unable to say what steps the Board can take to effectually meet such a great emergency as that of last Monday. The matter will require much consideration.

MR. SYDNEY BUXTON asked, if the Board would take the matter into consideration, in order to see if the floods could not be prevented in future?

COLONEL HUGHES said, they would have great pleasure in doing so. The difficulty was that the basement of many of these houses was below high-water mark.

FRIENDLY SOCIETIES—COUNTY DOWN RAILWAY SERVANTS' PROVIDENT SOCIETY.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked the Secretary of State for the Home Department, Whether his attention has been given to Rule 12 of the *Rules of the Belfast and County Down Railway Servants' Provident Society, established 1st July*, 1888, which directs that—

"All persons at present in the service of the Company, being males, in receipt of wages, shall become members of this Society, and also all such persons hereafter entering the service of the Company;"

whether Rule 3 directs that each member shall submit to a certain deduction from his wages; whether the Registrar of Friendly Societies has refused to sign the Rules; and, whether the imposition of such Rules upon any servant of the Company against his will is legal?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.) said, this was a Question for the Treasury.

MR. SEXTON said, he had put it upon the Paper three times, and he would be glad to know who would answer it.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): I answered a Question a few days ago upon this subject. My answer was that the Registrar of Friendly Societies had refused to sign the Rules; and I think the hon. Member will see that a Society whose Rules have not been certified by the Registrar is in no sense under his control, and he has no power over it.

MR. SEXTON: Then I will ask the Home Secretary what steps he proposes to take to prevent an open violation of the Truck Act?

MR. MATTHEWS: I do not gather from the Question that there was any violation of the Truck Act; but if there is the Inspector will look into it and report.

MR. SEXTON: Is it not a violation of the Truck Act to make a considerable deduction from the wages of the men?

MR. MATTHEWS: Not necessarily. I have recently had to decide that point in a London case. Fines are not illegal.

MR. SEXTON: I do not refer to fines. I will put another Question to-morrow.

LAND LAW (IRELAND)—THE LORD LIEUTENANT'S COUNTY DOWN TENANTRY.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the Lord Lieutenant of Ireland has served a writ of summons on his tenant, Mr. Hugh Ferguson, Chairman of the Newtownards Board of Guardians, for recovery of one and a-half years' old rent up to May 1 last, notwithstanding that Mr. Ferguson is entitled to the benefit of the fair rent from May, 1887, and that the Lord Lieutenant's County Down tenantry usually paid their rents only once a year, and were never called upon to pay a half year's rent; whether Mr. Ferguson offered to pay his rent less a reduction similar to that given to Mr. John Boyd, a tenant on the same estate, and his offer was replied to by the service of a writ of summons for the recovery of the old rent; whether, on the County Down estates of the Marquess of Downshire, Baron Trevor, Colonel Forde, Lord Annesley, and the Lord Lieutenant, upwards of 1,200 applications to fix fair rents were made before November 1, 1887, thus entitling the tenants to the benefit of the fair rents from May 1, 1887; whether he is aware that these landlords have since then exacted payment of the old rents; whether, in County Down alone, upwards of 3,000 of these applications made before November 1 last are

still unheard, and the general practice has been to exact the old rents from the tenants; whether on the estate of Mr. Joseph Harvey, County Wexford, decrees were obtained by the landlord at Ross County Court for recovery of the year's old rent, besides costs, in cases where the tenants were entitled to the benefit of the fair rent for the entire year; whether, on the estate of Elizabeth Maybury, in County Cork, Patrick Moroney, of Goggin's Hill, Ballinhassig, whose rent is £116, and gross Poor Law valuation £58, made application to the Land Commission to fix his fair rent on September 24 last, which entitled him to the benefit of the fair rent for the year running from March 25, 1887; whether a writ of summons was served on the tenant on May 11 last for the year's old rent due on March 25 last; whether an offer to pay a fair rent on account pending the fixing of a fair rent was rejected by the landlord; whether notice to have judgment marked on June 11 last was served on the tenant; whether, notwithstanding the production of doctors' certificates, and affidavits made by his wife, his solicitor, and the parish priest who attended him, that the tenant was dangerously ill and unfit to make affidavit to defend the action, judgment for the whole rent and enormous costs was obtained against the tenant, who died a few days afterwards; and, what relief he proposes to give to the tenants in these cases, and in hundreds of similar cases which can be supplied to him, where landlords are stringently exacting payment of the old rents?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: I understand that it is the case that Mr. Ferguson received last month a writ of summons for one and a-half years' rent, he having refused to pay the years' rent to November, 1887, unless it was reduced to 14*s.* an acre, making it about £37 instead of about £62 a-year. The agent offered to reduce it to £1 an acre, which would be £53 a-year. He further pointed out that he required payment of one year's rent, only the additional half-year having been included as a matter of form; and that, as Mr. Ferguson must be well aware, there was no analogy between his case and Boyd's, the latter's land being of much poorer quality. With regard to Paragraphs 3, 4, and 5, it is stated that there are about 993 fair rent applications which were made on the estates of the landowners named prior to November 1, 1887, together with many others on other estates in the County Down, which have yet to be heard. The old rents are being generally collected, though not in all cases, on the understanding that when the judicial rent has been fixed, the tenants shall be refunded the amount of any deduction made. On the estate of Mr. Harvey two tenants who had applied to have judicial rents fixed, and whose cases have not yet been heard, were applied to for a half-year's rent to September 29, 1887. They took no notice of the application. The landlord then obtained decrees against them for the year's rent to March 25, 1888, the County Court Judge ordering the half-year's rent to September to be fixed in May, and the half-year to March in October next. The landlord gave these tenants 15 per cent reduction on the half-year's rent so paid in May, and he states that he did not charge them with costs. With regard to Paragraphs 7 and 11, there does not appear to have been any tenant named Patrick Moroney on Mrs. Maybury's estate; but, assuming that it relates to the case of Patrick Loomey (now deceased), it appears that a writ of summons had been issued against him while the hearing of the application made by him in September last to have a judicial rent fixed was still pending. The widow is not aware that judgment, with costs, was obtained—if so, her solicitor has not informed her. She is of opinion that the case will come before the Land Commission to fix a fair rent. As regards the last paragraph of the Question, I have to point out that the Act of last year makes the reduction of rent retrospective, and entitles the tenant to deduct from the accruing rent any sums paid by him in excess of the reduced rent.

LAW AND JUSTICE (IRELAND)—GRAND JURIES.

MR. D. SULLIVAN (Westmeath, S.) asked Mr. Solicitor General for Ireland, What quorum is necessary when a Grand Jury is deciding in fiscal matters; and, can a presentment be passed by a majority which is not 12 or more?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin Uni-

versity): I assume, from the Question of the hon. Member, that the legality of some particular action on the part of some Grand Jury is questioned; and I do not think that I ought to give an opinion on a matter which may be the subject-matter of decision in a Court of Law. If the hon. Member will place on the Paper the state of facts to which his Question relates, I will then be able to see whether I can give him an answer.

RAILWAY ACCIDENTS—MIXED TRAINS —ACCIDENT ON THE HIGHLAND RAILWAY.

MR. CHANNING (Northampton, E.) asked the President of the Board of Trade, Whether it is true, as stated in *The Times*, that a serious accident occurred to a mixed train near Kincraig, on the Highland Railway, on Thursday morning last, owing to a goods waggon leaving the rails and pulling other vehicles along with it; whether the train was marshalled with 17 waggons, two vans, and four passenger carriages in that order; whether, in Reports of Inspectors of the Board of Trade on accidents of a similar nature to mixed trains, the attention of Railway Companies has repeatedly been drawn to the serious danger of placing passenger carriages in the rear of waggons; and, whether, having regard to the persistent neglect of the recommendations of the Board of Trade by Railway Companies, especially in Scotland, in this matter of placing goods waggons and trucks first in the marshalling of mixed trains, he will include this matter among those on which he proposes to obtain compulsory powers for the Board next Session?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, he had directed an inquiry to be made into the accident. He had no information as to the way in which the train was made up. On the 25th of August a Circular was sent out by the Board of Trade to different Railway Companies, calling attention to the danger of making up mixed trains, and especially when they were made up as in the case named in the Question. He would certainly consider the expediency of obtaining compulsory powers for the Board of Trade with reference to this practice, which, he believed, was by no means uncommon among Railway Companies.

MR. CHANNING asked, if the right hon. Gentleman was aware that the danger of marshalling trains in this way was much increased when a large number of trucks were loaded by the owner and the couplings defective?

SIR MICHAEL HICKS-BEACH said, that might be so; but it depended on the condition of the trucks.

BORNEO — BRITISH PROTECTORATE OVER NORTH BORNEO, SARAWAK, AND BRUNEI.

MR. F. S. STEVENSON (Suffolk, Eye) asked the Under Secretary of State for Foreign Affairs, Whether there is any truth in the statement that a British Protectorate is to be extended over North Borneo, Sarawak, and Brunei; and, whether it is distinctly understood that the Treaty of 1824 does not apply to Borneo?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The question of a British Protectorate over the three States referred to is the subject of negotiations which are not yet completed. It is distinctly held by Her Majesty's Government that the Treaty of 1824 between Great Britain and the Netherlands has no application to Borneo.

MR. F. S. STEVENSON: Are the negotiations proceeding with Holland?

SIR JAMES FERGUSSON: No, Sir.

PIERS AND HARBOURS (IRELAND)— NEWCASTLE PIER, CO. DOWN.

MR. M'CARTAN (Down, S.) asked the Secretary to the Treasury, Whether his attention has been called to the present state of the harbour at Newcastle, County Down; whether he is aware that the pier is now in ruins, and that it is impossible to bring with safety any vessel into the harbour; and, whether, considering the loss to trade, and the loss and danger to the poor fishermen who live there, he will advise a grant to be given to put into repair the quay of this favourite summer resort?

MR. JOHNSTON (Belfast, S.): I beg to ask the hon. Gentleman to consider this. Before I was dismissed from the Inspectorship of Fisheries by Earl Spencer, at the instigation of hon. Gentlemen opposite, I was carefully considering—

MR. SPEAKER: Order, order!

THE SECRETARY (Mr. JACKSON) (Leeds, N.): The pier in question was handed over to the Grand Jury in the year 1854. I understand that it was damaged by a storm in the year 1868; but all liability for the expense of repairing it attaches to the Grand Jury.

COLONEL WARING (Down, N.): Is the hon. Gentleman not aware that the Grand Jury protested against the handing over of the pier in the condition it then was?

MR. JACKSON: My experience is that Grand Juries, when piers are constructed, object to them being handed over to them.

MR. M'CARTAN: I wish to say, on my own behalf and on behalf of hon. Friends around me, that I hope the hon. Gentleman (Mr. Johnston) will soon be appointed a Fishery Commissioner again.

LEASEHOLDS (IRELAND) — PECULIAR CONDITIONS OF LEASES IN CO. DOWN—"ATTORNEYS-AT-LAW."

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that there are certain leases of houses in Castlewellan, County Down, wherein the lessor has provided that if the lessee, his heirs, or assigns harbour or give a night's lodging to an "attorney-at-law," the rent shall be increased to a penal amount therein mentioned; and, whether he will introduce a clause into the Solicitors Bill, to relieve "attorneys-at-law" from such exclusive treatment without exposing the tenants of these houses to the imposition of any such penalty for giving a night's lodging to members of this branch of the Legal Profession?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: I was certainly not aware of the facts referred to by the hon. Member; and I have never, in the course of my professional experience, come across leases containing any clauses at all analogous to those to which he has called attention. As regards the suggestion contained in the second paragraph, I am afraid that parties to leases must be allowed to enter into their own contracts, no matter how peculiar their views may be; and I do not see my way to suggest special legislation dealing with these particular leases.

MR. M'CARTAN: Is it fair to have attorneys Boycotted in this fashion?

MR. MADDEN: If the hon. Gentleman asks me my private opinion, I say certainly not.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL — THE EMIGRATION CLAUSES.

DR. TANNER (Cork Co., Mid) asked the Secretary of State for the Colonies, Whether it is a fact, in reference to the clause in the Local Government Bill enabling County Councils to borrow money for the purpose of making advances to promote emigration, that the Government of Victoria has addressed a remonstrance to the Colonial Office, on the Motion of the Honourable Duncan Gillies, Premier of Victoria, warning them against the deportation of paupers to the Colony in question?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said, that no such communication had been received at the Colonial Office.

PRISON DIETARY — ALLEGED COMPOSITION OF PRISON BREAD.

MR. H. S. WRIGHT (Nottingham, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the following paragraph which appeared in *The Nottingham Evening News* of July 31, headed *A chat with a Nottingham Surgeon*, in which, referring to the death of Mr. John Mandeville, the writer says:—

> "He proceeded to explain that prison bread is a diabolical concoction of chopped wheat, with the cuticle cut into lance-sharp particles for the purpose of inflaming the internal coatings of the stomachs of unhappy prisoners;"

and, whether there is any truth in the above allegation and description of prison bread?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: No, Sir; the statement is entirely devoid of foundation.

PERU AND CHILI—THE PERUVIAN BONDHOLDERS.

MR. LABOUCHERE (Northampton) asked the Under Secretary of State for Foreign Affairs, Whether, in a despatch dated February 2 last, the Chilian Government, in reply to written representations made by Mr. Fraser, Her

Majesty's Minister resident in Chili, declared that the Government of Chili—

"Would limit itself, so far as the creditors of Peru are concerned, to faithfully carrying out the Treaty of Peace of October 20, 1883;"

whether, on February 28 last, Sir Julian Pauncefote addressed a letter to Mr. P. Nickalls, a jobber on the Stock Exchange, to the effect that a telegram had been received from Her Majesty's Minister in Chili reporting that, if the opposition to the Chilian Loan was withdrawn, the Chilian Government will negotiate at once for a settlement of the difficulties arising out of the recent contract between the Committee of Peruvian Bondholders and the Government of Peru, known as the Grace Contract, and, later, as to the other matters in difference in relation to their claims; whether Mr. Fraser was again instructed by the Foreign Office to obtain the withdrawal by the Government of Chili of its objections to certain clauses of the Grace Contract, which the Chilian Government contended were in conflict with the Treaty of Peace between Chili and Peru of October 20, 1883, and, in consequence of Mr. Fraser's appeal, a Protocol was signed in Santiago by Mr. Fraser and Senor Matte, the Chilian Minister for Foreign Affairs, on April 11 last, and whether in the said Protocol it was expressed that Chili required that the Treaty of Peace with Peru be maintained in its integrity; whether Her Majesty's Government has information that the President of Chili, in his Message to Congress, dated June 1 last, stated, with reference to the claims of Peruvian creditors against Chili—

"That the Representative of Her Britannic Majesty in Chili had put forward a request, and this request decided the Chilian Government to give its final answer on this matter in the despatch of February 2 last;"

and, whether, in view of this ultimatum, and in view of the serious consequences to British subjects and their interests which will follow any misunderstanding with this friendly Power, Her Majesty's Government will lay upon the Table of the House all correspondence and documents relating to the matters in question?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The statements referred to in the first three paragraphs of the Question are correct. No copy of the President's Message to Congress has yet reached Her Majesty's Government. There is nothing in the Chilian Note of February 2 to indicate that it was final in its character; and, as a fact, further communications have recently been taking place with the Chilian Government on the subject. In reply to a Question asked by the hon. Member for North Aberdeen (Mr. Hunter) on the 15th of June, he was told that the proposals made by Chili being confidential, they could not be laid on the Table.

MR. LABOUCHERE inquired, when the Foreign Office would receive the text of the address of the President of Chili?

SIR JAMES FERGUSSON replied, that sometimes the newspapers received earlier information by telegraph than did the Foreign Office.

MR. LABOUCHERE would point out that this address of the President of Chili was delivered on June 1, and that it could come by post. Would the right hon. Gentleman answer the last paragraph of his Question?

SIR JAMES FERGUSSON said, that the hon. Member knew that it was unusual, and would be inconvenient, to lay correspondence upon the Table while the negotiations were going on—and they were going on.

MR. LABOUCHERE asked if, when the address was received, it should appear that the President's decision was final, the negotiations would still go on?

SIR JAMES FERGUSSON said, the question had passed through many phases, and it had entered upon a new phase since the address was delivered.

METROPOLITAN POLICE COURTS—ACCOMMODATION FOR PRISONERS.

MR. CHANNING (Northampton, E.) asked the Secretary of State for the Home Department, Whether his attention has been called to the opinion expressed by Mr. Justice Wills, in his recent Memorandum as to the accomodation for prisoners in the Metropolitan Police Courts, to the effect that the accommodation is wholly insufficient to protect children and respectable women, who may in many cases have been arrested in error, and ought never to have been detained, from exposure to the most degrading companionship and moral contamination; and, whether he will, at the earliest moment, take steps

to secure separate accommodation for child prisoners, and to carry out the recommendation of Mr. Justice Wills that—

"At Courts where many women are brought up every day in the year, there should be some provision for the effectual separation of the sexes, and for the custody of women by a warder of their own sex, as well as some possible escape for respectable people, who may be innocent, from intolerable humiliation and torture?"

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have stated more than once in this House what steps I am taking to carry out the recommendations of Mr. Justice Wills, and of the Committee over which he presided, as to accommodation for prisoners in the Metropolitan Police Courts. The Report was no sooner published than I placed myself without delay in communication with the various authorities, by whose agency a better accommodation for prisoners awaiting trial could be secured. The particular recommendations referred to in the Question, with regard to the better protection and accommodation of children and women, are now being urged forward by me with a view to their being carried as far as possible into effect.

WAR OFFICE—EDUCATIONAL ATTAINMENTS OF NON-COMMISSIONED OFFICERS.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Secretary of State for War, Whether an order has lately been issued to the effect that all Battery Sergeant Majors, Quartermaster Sergeants, Colour Sergeants of Infantry, and Troop Sergeant Majors of Cavalry, who are not in possession of a first-class certificate for educational attainments, are to be considered ineligible for further promotion; and, whether a second-class certificate has hitherto been regarded as sufficient; and, if so, what is the reason for the change?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Hitherto it has been the rule to require a second-class certificate of education on promotion to Sergeant, and no higher test has been demanded for subsequent promotion. Now, however, the ranks of Warrant Officer and Quartermaster Sergeant carry such advantages and have such duties that, considering the general state of education in the country, it has been thought that a higher standard might fairly be required for promotion to those ranks. It is also hoped that the Regulation may induce better educated men to enter the Army. Accordingly, from the beginning of 1889 the first-class certificate will be required. This will give candidates time to prepare. I may add that the test is only about equivalent to Standard VII. in the Board Schools, which many boys reach before the age of 14.

ROYAL IRISH CONSTABULARY — INCREASE OF THE FORCE AT DOOMBEG, CO. CLARE.

MR. JORDAN (Clare, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If, since July 1 last, the number of the police force at Doombeg, County Clare, has been increased to nine; if at the suppression of the National League the number was increased from five to eight; if the sergeant of the force at Doombeg swore at the Petty Sessions at Kilkee that his district was perfectly quiet and peaceable; if no crime or outrage has been committed in Doombeg parish for the past five or six years; if, on June 30, four or five of this extra force got drunk in barracks; if the sergeant and three of the men had a free fight; if this row was reported to the authorities by the sergeant; and, if so, has any investigation been held in reference thereto; and, if the Government will make inquiries into these allegations, and, if true, will they reduce the police force there to the normal numbers?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: The District Inspector of the country reports that no increase whatever has been made in the number of the police force at Doombeg since July 1. Two men were added in November, 1887, and one in February, 1888, making a total of eight, at which the number at present stands. He is not aware that the sergeant made at Kilkee Petty Sessions any such statement as that ascribed to him. Within the past five and a-half years 16 outrages have been reported from Doombeg; and in the present year extensive preparations were made for violent resistance to the Sheriff. He believed there is no ground for the allegation that the men miscon-

ducted themselves on June 30. He was at the station himself on the following day and saw no trace of any such occurrence, nor was there any Report made to him on the subject. He is of opinion that the present number of men there is absolutely necessary.

IRELAND — SUNDAY LABOUR IN BAKERIES—EVASION OF THE LAW.

MR. NOLAN (Louth, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true, as stated by the Amalgamated Operative Bakers of the various Trades Unions in Ireland, in a Petition presented to this House on July 12, that the law relating to Sunday labour in bakeries is rendered inoperative in Dundalk and other towns in Ireland, owing to the fact that the onus of setting it in motion rests with the operatives, who can only take action at the risk of instant dismissal from their employment; and, if so, whether the Government can do anything to keep this law from remaining a dead letter in many towns in Ireland?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: From the Reports before me it appears that the law relating to Sunday labour in bakeries has been violated in Dundalk, and in certain other towns in Ireland. The Government will consider what steps should be taken to enforce the provisions of the Act.

PIERS AND HARBOURS (IRELAND)—ROSSLARE HARBOUR, WEXFORD.

MR. J. BARRY (Wexford, S.) asked Mr. Chancellor of the Exchequer, If the Treasury has decided to take any action on the recommendation made by the recent Royal Commission in reference to the completion of Rosslare Harbour, County Wexford; whether his attention has been drawn to the Resolution passed by the Grand Jury at the late Assizes, urging the necessity for speedily granting a small amount of Government aid to prevent a stoppage of the works at Rosslare, which would lead to the closing of the railway between Rosslare and Wexford, and would involve great loss and inconvenience to the country and to the town of Wexford; and, whether he is aware that the large sum of money (over £200,000) already expended, and a portion of which was raised locally, on the understanding that the Government would complete the harbour, will be practically lost unless Government aid is at once forthcoming to finish the works?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square), in reply, said, the facts were as stated in the Question of the hon. Gentleman. General Sankey, of the Irish Board of Works, had been at Rosslare; and he (Mr. Goschen) saw him on Friday last, when he reported on the condition of the harbour, and the necessary expenditure which might be required. The hon. Member was probably aware that when the Royal Commission which had recently inquired into the question of Irish Public Works reported on this harbour, they recommended the amalgamation of the Rosslare and Wexford Harbour Boards. The Government regarded this amalgamation as a *sine quâ non* for any assistance to Rosslare; and it would be for hon. Members and others to exercise their influence to promote this amalgamation.

MR. BARRY asked, whether, while the Treasury was considering the larger question of dealing with the harbour, it would be possible to make a small grant for the purpose of continuing the works, which otherwise would be stopped within a few days?

MR. GOSCHEN said, as soon as the Treasury knew there was a disposition to promote the amalgamation they would be prepared to make a grant; he was quite aware of the urgency of the matter, and it was engaging the attention of Her Majesty's Government.

VENEZUELA—DECLINE OF TRADE.

MR. WATT (Glasgow, Camlachie), asked the Under Secretary of State for the Colonies, Whether he is aware that the total actual export trade from Trinidad to Venezuela showed a falling off for 1887 of nearly 50 per cent as compared with 1885, or nearly 70 per cent. as compared with 1884, declining from £102,145 sterling to £33,816 sterling; whether the value of goods "in transit" (not amenable to the 30 per cent. additional duty) was included in the amount recently stated; whether, in 1884, when the additional duty was temporarily taken off, food stuffs exported to Venezuela increased by nearly £30,000 value

—namely, from £72,566 to £102,145 sterling; whether the Government have received the Returns for the first six months of the present year; and, if so, whether the amount is less than that of the previous six months; and, whether having regard to the disastrous results which must ensue to the West Indian Colonies from further delay in arriving at an arrangement with Venezuela in relation to the various questions now in dispute, Her Majesty's Government can hold out any hopes of a speedy settlement being arrived at?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: From a Return furnished by the Government statist, the figures quoted in the first paragraph of the hon. Member's Question appear to be correct. The answer to the second and third paragraphs is in the affirmative. The Returns for the first six months of the present year have not been received. All negociations with Venezuela have been suspended, in consequence of the interruption of diplomatic relations by the late President Guzman Blanco; and no overtures for their resumption have been received from the new President.

POOR LAW AND MEDICAL CHARITIES ACTS (IRELAND) — PENSIONS TO MEDICAL OFFICERS OF UNIONS, &c.

DR. KENNY (Cork, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether pensions are ever granted, or can legally be granted, to medical officers of unions or dispensaries in Ireland under the Poor Law or Medical Charities Acts for other reasons than physical or mental incapacity, or length of service and age; whether Dr. O'Connor, medical officer of the Ballycastle (County Antrim) Union and Ballycastle Dispensary, has recently resigned the latter office, and has been granted a pension of £98 per annum and allowed to retain the former office; on what grounds did he receive the pension on resignation of his dispensary; and, if there is any precedent for the course pursued in Dr. O'Connor's case—namely, of being allowed to resign and receive a pension for one office, and being allowed to retain the other?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: The grounds upon which medical officers of workhouses and dispensary districts may be superannuated are correctly stated in the Question. Dr. O'Connor's superannuation allowance has not yet come before the Local Government Board for their consent; but they understand the arrangement set forth in the Question has been made. The Board are not yet aware of the precise grounds upon which Dr. O'Connor was superannuated. As regards the dispensary, the course mentioned is not unprecedented; but the Board would require very full information before they consented to it, and Dr. O'Connor's case will be fully considered when the matter comes officially before them.

LITERATURE, SCIENCE, AND ART (IRELAND) — PROFESSOR M'NAB'S LABORATORY AT GLASNEVIN, DUBLIN.

DR. TANNER (Cork Co., Mid) asked the Secretary to the Treasury, Whether it is the case that much additional space is required in Professor M'Nab's laboratory at Glasnevin; and, whether, in consequence of the annual increase of students and the inconvenience occasioned because of the limited space afforded, steps will be immediately taken to remedy the requirements of the case?

THE SECRETARY (Mr. JACKSON) (Leeds, N.), in reply, said, that until recently there had been sufficient accommodation; but the number of students was increasing, and he was informed that his right hon. Friend (Sir William Hart Dyke) would see that steps were taken in consequence.

DR. TANNER asked, Whether the providing of additional space had not been recommended in the last two Reports, so that the want was one of long standing.

MR. JACKSON ventured to say that that was the case. He understood that attention would be given to the matter.

NAVY—SCOTCH COAL.

MR. CALDWELL (Glasgow, St. Rollox) asked the First Lord of the Admiralty, What progress is being made with the trial of Scotch coal already sent for the Navy; and, whether the

Admiralty will avail themselves of the present Naval Manœuvres, and the presence of a portion of the Fleet in Scotch waters, to still further test the capabilities of Scotch coal?

MR. ASHMEAD-BARTLETT (CIVIL LORD of the ADMIRALTY) (Sheffield, Ecclesall) (who replied) said, all the trials of Scotch coal had shown that it was not so well suited for use in the ships of the Navy as Welsh coal. One of its defects was density of smoke, which was a serious disadvantage in Naval Manœuvres, when it was the object of contending Fleets to keep their movements as secret as possible.

STREET IMPROVEMENTS (METROPOLIS).

MR. JAMES STUART (Shoreditch, Hoxton) asked the President of the Local Government Board, Whether notices connected with any Bill to acquire property for street improvements in London during the next Session of Parliament require to be given by November next; and whether, as the London County Council cannot give such notices, he will consider the propriety of bringing before the Metropolitan Board of Works the desirability of drawing up a scheme of street improvement for next year and giving the necessary notices, although its powers and duties for carrying it into effect will have expired, or whether he will consider some other arrangement whereby street improvements next year may be effected?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): In the case of a Bill to be promoted during the next Session of Parliament, conferring powers of compulsory purchase of property for street improvements in London, it is necessary that the notices should be given in November next. As regards any scheme of street improvement for which there is an urgent necessity, it does not at present appear to me that there would be anything to preclude the Metropolitan Board of Works from giving the necessary notices; although it would, of course, rest with the County Council of London, as the successors of the Metropolitan Board of Works, to determine whether they would proceed with any measure which the Metropolitan Board of Works might introduce.

POST OFFICE—POST OFFICE TRAVELLING VANS.

MR. CAVENDISH BENTINCK (Whitehaven) asked the Postmaster General, Whether he is about to make any further arrangements for facilitating the transfer of letters directly from the railway station pillar boxes to the railway Post Office travelling vans; and, whether there is any, and what, reason why the system for this purpose, which has been successfully in operation on the Continent for many years past, should not be adopted in this country?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University), in reply, said, a Departmental Committee had recently been inquiring into the subject of extra postal facilities, including the matter mentioned in the Question, and he hoped very shortly to be able to announce their decision.

THE MITCHELSTOWN RIOT (SEPTEMBER, 1887)—THE INQUEST—THE SHORTHAND WRITER'S REPORT.

MR. ROWNTREE (Scarborough) asked the Chief Secretary to the Lord Lieutenant of Ireland, If, in view of the extracts from the Departmental Inquiry into the shooting of three men at Mitchelstown on September 9 last now furnished to Members of this House, the Government will also furnish Members with copies of the shorthand writer's report of the proceedings at the inquest held at Mitchelstown containing the sworn evidence of the officials present at the proceedings of September 9?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: The right hon. Gentleman the Chief Secretary has already stated, in reply to former Questions, that the Government cannot consent to lay on the Table the documents referred to. I may add that the hon. Member appears to put his Question under a misapprehension. No extract whatever from the Departmental Inquiry has been presented to the House.

MR. ROWNTREE: May I ask if the paper showing the diagram of Mitchelstown Square and the police barracks is not an extract from the Departmental Report?

MR. MADDEN: No; I am informed that it is not.

LOCAL GOVERNMENT (IRELAND) — COLLECTION OF COUNTY CESS.

MR. FINUCANE (Limerick, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the county cess in Ireland is nominally collected by men who are known by the name of barony constables, who are paid by a poundage rate of 1*s.* in the £1 in 17 counties and of 9*d.* in the other 15; whether he is aware that the taxes are actually collected by deputies who receive, on an average, about 4*d.* in the £1, and who are required to give ample security, equal in nearly all cases to that given by the baronial constables; and, if he will introduce a Bill at the earliest opportunity so to amend the Grand Jury Laws as to enable the farmers to save £30,000 a-year, which is now voted by the Grand Juries for the payment of these barony constables, by providing a more economical mode of collecting county cess in Ireland?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: I have no information as to the matters of fact referred to in this Question, Grand Juries not being under the control of the Executive Government. With regard to the last paragraph, the Government cannot undertake, in the present time and in the present state of Public Business, to approach the question of the legislation suggested by the hon. Member.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, whether the Government would, at an early date, facilitate a Bill for the purpose of giving the Local Government Board power, through its auditors, to inspect the accounts of the Grand Juries, and surcharge them in cases of excessive expenditure?

MR. MADDEN said, no doubt the matter would receive careful consideration.

MR. EDWARD HARRINGTON (Kerry, W.) asked, whether several of these collectors getting this high poundage had not, as in a particular case in Kerry, neglected to prosecute landlords who were their relatives when those landlords failed to pay the cess?

MR. MADDEN said, he had no information on the subject.

GOLD AND SILVER CURRENCY COMMISSION—THE REPORT.

MR. SUMMERS (Huddersfield) (for Mr. S. SMITH) (Flintshire) asked the First Lord of the Treasury, Whether, having regard to the long time that the Currency Commission has been sitting, to the great importance of the questions submitted to it, and to the serious financial consequences to India of the continued depression in the exchanges, he will give the House some assurance that the Report will be issued before the House adjourns for the Recess?

MR. F. HARDCASTLE (Lancashire, S.E., Westhoughton) asked, whether the right hon. Gentleman can hold out any hope that the Report of the Currency Commission will be presented to the House before the Adjournment?

CAPTAIN COTTON (Cheshire, Wirral) asked, if the right hon. Gentleman is able to give the House any information as to when the Report of the Gold and Silver Commission is likely to be presented; and, whether it may be expected before the close of the Session?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, he had communicated with the Chairman of the Commission. He had his authority to say that, although a long time had elapsed since the Commission had been appointed, the question being of an extremely intricate character, it was not possible to arrive at an early conclusion. They hoped to be able to report in the course of the next two months.

DEAN AND CHAPTER OF WESTMINSTER—STATUE OF THE LATE EARL OF SHAFTESBURY.

MR. SUMMERS (Huddersfield) asked the First Lord of the Treasury, Whether it is a fact, as stated in the newspapers, that the Dean and Chapter of Westminster, after having offered to place a statue of the late Earl of Shaftesbury in Westminster Abbey, required the payment, in the first instance, of £400, and afterwards of £250, for the privilege of permitting its erection; whether this demand has hitherto had the effect of preventing the erection of the statue; and, whether he will consider the propriety of amending the Westminster Abbey Act, so as to render

the demand of such fees in the future illegal?

MR. CAVENDISH BENTINCK (Whitehaven) asked, whether the right hon. Gentleman would consider the propriety of amending the Westminster Abbey Act, so as to prevent the erection of any more statues in the Abbey and the consequent disfigurement of the interior of the church?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I cannot give the right hon. Member for Whitehaven the assurance which he desires. No doubt the Abbey is extremely crowded, but I understand that the Dean and Chapter now exercise considerable discretion with regard to the erection of additional monuments. I have no reason to doubt that the allegations contained in the Question of the hon. Member (Mr. Summers) are correct; but in the absence of the Dean of Westminster from England I am not in a position to make any authoritative statement on the question. I am, however, informed that the customary fees for the erection of statues in the Abbey are applied in aid of the Fabric Fund; and I do not think I should be justified in asking Parliament to prohibit such contributions from being obtained for the maintenance and repair of the Abbey, as has been the practice from time immemorial.

MR. T. P. O'CONNOR (Liverpool, Scotland) asked, whether the First Lord would not suggest to the authorities of the Abbey that it would be as well to wait for a little time after the death of an individual before placing his bust in the Abbey, seeing that there was no power of real discrimination as to the enduring merits of any person until some years after his death?

MR. W. H. SMITH: The duties of the Government are sufficiently onerous as they are. I would be stepping beyond my duty if I sought to interfere with the discretion which, I think, has been well exercised by the authorities of the Abbey.

RELEASE OF MR. DILLON AND OTHER MEMBERS OF PARLIAMENT.

MR. DILLWYN (Swansea, Town) asked the First Lord of the Treasury, If he will afford facilities for bringing on a Motion for which Notice has been given, and now stands for Monday next, for moving for an Address to Her Majesty the Queen, praying Her to order the release of Mr. John Dillon and other Members of Parliament now imprisoned in Ireland? The hon. Gentleman stated that the Motion had originally been put down for last Thursday, and had been adjourned until that evening.

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am sure the hon. Gentleman will see that it is not in my power to offer the facilities he asks for.

MR. DILLWYN: I wish to express my regret at the answer of the right hon. Gentleman, in view of the great interest which the matter excites in England and Wales, and I shall take an early opportunity, if I possibly can, of bringing it before the House.

THE TITHE RENTCHARGE RECOVERY AND VARIATION BILL—THE CORN AVERAGES COMMITTEE.

MR. H. GARDNER (Essex, Saffron Walden) asked the First Lord of the Treasury, Whether he can now give the House any assurance that the Tithe Rent-Charge Recovery and Variation Bill will not be taken until the Committee on Corn Averages has made its Report?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am not able to give the hon. Gentleman the assurance he desires, as I remain of opinion that, whatever may be the Report of the Corn Averages Committee, it is necessary, in the public interest, that the Tithe Bills should be passed.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL — MR. BUCKLE, OF THE "TIMES."

MR. CLANCY (Dublin Co., N.) (for Mr. T. M. HEALY, Longford, N.) asked the First Lord of the Treasury, Whether Mr. Buckle, editor of *The Times*, came to see him in reference to the allegations against Members, along with the proprietor of that journal, or separately; and, what were the date or dates of the interviews?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): My right hon. Friend the Chancellor of the Exchequer stated on Thursday last, at my request, that I had not seen Mr. Buckle at all with reference to this subject.

BUSINESS OF THE HOUSE—EMPLOYERS' LIABILITY FOR INJURIES TO WORKMEN BILL.

MR. BROADHURST (Nottingham, W.) asked the First Lord of the Treasury, Whether he can now inform the House what course the Government intend to take with respect to the Employers' Liability for Injuries to Workmen Bill?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, the Government would have been very glad if they could have seen their way to have disposed of the Bill before the close of the present Sitting of the House. He agreed that the discussion in the Standing Committee ought to lead the House to expect that a comparatively short discussion of the Report would be necessary in the House; but it had been represented to the Government that it would be for the convenience of hon. Members who took an interest in the question, and especially to those who were known as Labour Representatives, if the measure were postponed until November. On the responsibility of those hon. Members, and to meet their wishes, the Government had consented to adopt that course.

GRANTS TO MEMBERS OF THE ROYAL FAMILY—THE SELECT COMMITTEE.

MR. E. ROBERTSON (Dundee) asked the First Lord of the Treasury, Whether Her Majesty's Advisers have yet completed their Report on the subject of Royal Grants?

MR. SUMMERS (Huddersfield) asked, when the Government intend to redeem the pledge repeatedly given that a Select Committee would be appointed to inquire into the subject of Royal Grants?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The communications that are passing between Her Majesty's Advisers and Her Majesty on the subject of Royal grants have not yet been concluded; but I hope to be in a position to make a statement to the House on the subject in the early part of the next Session.

MR. E. ROBERTSON asked, whether the right hon. Gentleman did not announce some weeks ago that a Report had been presented to Her Majesty on the subject?

MR. W. H. SMITH said, that was the case; but the communications between Her Majesty and her Advisers were still proceeding.

PUBLIC BUSINESS—THE SMALL HOLDINGS COMMITTEE.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked the First Lord of the Treasury, If he can explain why, after the Small Holdings Committee was appointed on the Motion of the Government, no steps have been taken to call it together, and enable it to decide whether it is to meet in the autumn or to attempt to do anything in the present Session of Parliament; if steps will now be taken to bring together the Members of the Committee; and, with whom it rests to take the initiative?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Small Holdings Committee was appointed at such a late date in the Session that it was useless for them to meet for the examination of witnesses; but I am informed that the Committee will meet this week for the appointment of a Chairman.

PUBLIC BUSINESS—THE BURGH POLICE AND HEALTH (SCOTLAND) BILL

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked the First Lord of the Treasury, If the Government will consider whether the Burgh Police and Health (Scotland) Bill might possibly be settled, and the waste of a day saved, by applying to the other burghs the provisions of section 15, by which the larger burghs are enabled to adopt the Act, in whole or in part, at their option?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Burgh Police and Health (Scotland) Bill is a Consolidation Bill, and it would be most unsatisfactory to give it a permissive character, and thus perpetuate differences of constitution and administration in Scotch burghs.

MR. WALLACE (Edinburgh, E.) asked, whether the First Lord of the Treasury still persisted in his intention to compel Scotch Members to consider a Bill of the vast dimensions of the Burgh Police and Health (Scotland) Bill on Wednesday; and whether he would not consent to take the Bail (Scotland) Bill on Wednesday and the

rest of the time for his own purposes, and give the Scotch Members an assurance, upon which he was sure they would all gladly rely, that in the autumn he would give them a real, good Scotch week, if necessary all to themselves, in order that they might be able to work off their Bills in a decent, reasonable, and Christian fashion?

MR. W. H. SMITH said, he would be exceedingly sorry to force hon. Members from Scotland to consider any measure, if they were not themselves in the great majority desirous to do so. He was told that that was the case; but the hon. Member would have an opportunity on Wednesday to make his protest; and if it should turn out that that protest was shared in by the great majority of Scotch Members, certainly the Government would not insist upon proceeding with the Bill on Wednesday. But an opportunity would be afforded on Wednesday to pass a measure which, he understood, was very much desired, and which was mainly of a consolidating character.

In reply to Sir GEORGE CAMPBELL,

MR. W. H. SMITH said, the Bail (Scotland) Bill would be put down first on Wednesday.

BUSINESS OF THE HOUSE.

MR. BRYCE (Aberdeen, S.) asked the First Lord of the Treasury, Whether he proposed to proceed with the Mortmain and Charitable Uses Bill before the adjournment?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) said, he hoped to be able to do so.

SIR WALTER B. BARTTELOT (Sussex, N.W.) asked, when it was proposed to proceed with the Railway and Canal Traffic Bill, which had come down with three Amendments from the House of Lords?

MR. W. H. SMITH said, he hoped it might be taken to-morrow.

MR. OSBORNE MORGAN (Denbighshire, E.) desired to know whether the County Courts Consolidation and Amendment Bill would be proceeded with?

MR. W. H. SMITH replied in the affirmative.

In reply to Mr. MUNDELLA (Sheffield, Brightside),

Mr. W. H. SMITH said, he hoped to be able to deal with the Sea Fisheries Regulation Bill and the Merchant Shipping (Life Saving Appliances) Bill before the end of the Session.

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.

SIR WILFRID LAWSON (Cumberland, Cockermouth) asked the First Lord of the Treasury, Whether it was true, as had been reported, that in the event of the Members of Parliament (Charges and Allegations) Bill being passed, the inquiry would not be commenced until the beginning of November?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I have received no intimation at all, Sir, on that matter. If the Bill is passed, it will rest with the Judges themselves to settle what course they will take.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, if it was true that Mr. Justice Day had resigned; and, if so, whom it was proposed to put in his place?

MR. W. H. SMITH: I have no information upon that point.

MOTION.

REGISTRATION OF ASSURANCES (IRELAND) BILL.

LEAVE. FIRST READING.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to consolidate and amend the Laws relating to the registration of Assurances, and to provide for the registration of other Acts, Instruments, and matters affecting land in Ireland."—(*Mr. Solicitor General for Ireland.*)

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): May I ask whether this Bill will enable a person living in Ireland to ascertain whether his life has been insured or not? I may be pardoned for asking the Question, because I happen to represent Belfast, which is a rather lively place for a politician; and I am informed, also, that during my recent illness some persons took the opportunity to insure my life at a temptingly high figure.

MR. MADDEN replied that this Bill referred only to the insurance of landed property, and not to the subject in which the hon. Member was so much interested.

Motion *agreed to*.

Bill *ordered* to be brought in by Mr. Solicitor General for Ireland and Mr. Arthur Balfour.

Bill *presented*, and read the first time. [Bill 369.]

ORDERS OF THE DAY.

—o—

SUPPLY [3RD AUGUST].—REPORT.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [4th August],

"That this House doth agree with the Committee in the said Resolution, That a further sum, not exceeding £7,712,800, be granted to Her Majesty, on account, for or towards defraying the Charge for the Civil Services and Revenue Departments for the year ending on the 31st day of March 1889."

Question again proposed.

Debate *resumed.*

MR. WALLACE (Edinburgh, E.) said, that he had hoped for a satisfactory statement from the First Lord of the Treasury with regard to Scotch Business, which would have made any further remarks of his unnecessary.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he hoped the hon. Member would understand that he had not intended to be guilty of any want of courtesy to him. He had not made a statement because he did not wish to interfere with the continuation of the hon Gentleman's speech.

MR. WALLACE said, he would not for a moment imagine that the First Lord of the Treasury would willingly be discourteous to anyone, nor did he expect that the right hon. Gentleman would have risen before he (Mr. Wallace) resumed his speech. What he was referring to was an answer which the right hon. Gentleman gave to a Question he put to him with respect to Scotch Business. He had hoped that the nature of that answer would have been such that it would have been unnecessary for him to continue his remarks; but unhappily they were not in that position. Hon. Members would, perhaps, recollect that on Saturday he was engaged in a few preliminary observations with the view of showing the humiliating condition into which Scotch Business had fallen. It was no pleasure to him to obtrude himself upon the House. He was not one of those who obtruded his opinions frequently upon the House; in fact, he considered that men who spoke in the House without having something to say in the interest of their constituencies were public nuisances. Therefore, for his own part, he would not speak except upon the impulse of some duty, either to truth at large or to the constituency which he had the honour to represent. He thought, however, he would carry with him the concurrence of his Scotch Colleagues when he said that with respect to this matter of Scotch Business they could not any more be silent. He assured the House that the public of Scotland were getting exceedingly angry and impatient on this subject. He did not think he, for one, could go back and face the Scottish public unless he attempted to represent their feelings in the matter. It was as much as his place was worth, to speak colloquially, not to express the opinion of his constituents and the Scotch public. Expressions not loud but deep were daily being made use of towards the Scotch Representatives in connection with this matter. He did not want to introduce to the House such expressions as "muffs," "duffers," "humbugs," or "cowards." These were shabby phrases in themselves, and as the First Lord of the Treasury would say, they did not contribute to the dignity of the House; but, in spite of that, they were in daily use with respect to Scotch Members in connection with the timidity and subservience and want of manliness and courage which it was alleged they were displaying in not standing up more stoutly for a proper share of legislative time. It was undeniable that for years and years Scotland had been, he would not say defrauded of, but been compelled to go without a share of the legislative time of the House, and he took it upon himself to say that a very large number of the Scotch Members were on this occasion resolved to enter into the matter with far greater amplitude of argument and completeness of statement than he could pretend to employ. He thought that towards the conclusion of his humble reflections on Saturday he succeeded to some extent in showing that Scotch Business, upon a minute and careful arithmetical calcula-

tion, had a right to at least three full weeks of the legislative time of the Session; yet the First Lord of the Treasury, either under or against the advice of his Scotch advisers, had offered a few hours at the fag end of a Wednesday afternoon, and his offer, small as it was, was conditioned by the question whether the Irish General Commission of Inquiry into Most Things under the Sun Bill would be finished on Tuesday evening. His humble contention was that that was not only unjust to the Scotch Members, but insulting to the Scotch nation, and, he ventured to say, to the common sense of mankind at large. It was utterly impossible to consider even the initial stages of the Burgh Police Bill in so short a time. That Bill was a great structure. It contained almost as much matter as a volume of the *Encyclopædia Britannica*, and as complicated in some respects in its construction as these volumes usually were. He knew very well what would be said if the Resolution of the First Lord were carried out. He knew what English newspapers would say. The so-called comic papers would talk of "a day lost in a Scotch mist." They would become sarcastic about cockie-leekie and bagpipes as if they supposed these substances differed not in kind, but only in degree. What were they to do in such circumstances? Finding themselves in the position of being ill-used by the Government and their Supporters, the Scotch Members must fix the blame on someone. The official on whom they should fix the blame was not the First Lord of the Treasury, because, dissatisfied as they were with his treatment of them, that right hon. Gentleman was in the hands of others. Unfortunately, they never saw the Secretary for Scotland. His knowledge of Lord Lothian was principally by reputation and not by personal observation. He was aware that he was a good business man when he was allowed to do business in his own way. He was also a courteous Gentleman, as a matter of course; but what good was that to them? The Secretary for Scotland did not sit in this House, in the place where Scotland was to a certain extent represented, and the Scotch Members could not give him a bit of their minds in the place where it was proper that he should get it. The very fact of his being a Member of the Peerage made it difficult for Scottish Members to perform their duties in that matter. There were one or two Lords he liked, but generally, in the abstract, he hated Lords. He did not want them because they cost him a great deal of trouble, both mentally, morally, and corporeally, as the genuflexion, the bated breath, and the whispering humbleness necessary to approach them was a painful process and rather a tax on his constitution. The necessary absence of the Secretary for Scotland from that House, owing to the fact that he was a Member of the Peerage, was distasteful to the Scotch Members because they could not in his absence begin to abuse or criticize unfavourably that affable but ineffectual nobleman. The consequence was that they must fall back on what he might call the whipping boy of the Secretary for Scotland—he meant the Lord Advocate. He must also in this connection throw in, in point of form, the Solicitor General for Scotland, but there was not much whipping in him. The Lord Advocate would amply suffice for that purpose. He must not be understood to speak of the Lord Advocate personally in the matter, except in the most pleasant manner of which he was capable, but in his public capacity the Lord Advocate would no doubt take as he gave very heartily. In respect, then, of the Lord Advocate's conduct of Scottish Business, he had not only a great responsibility, but he thought the right hon. and learned Gentleman had a good deal of blame attaching to him. He thought the Lord Advocate in this matter had studied too deeply the maxim, "That the man is wise who speaks little." That was a valuable maxim, but in connection with Scotch Business it seemed to him that the Lord Advocate was a trifle too wise. The Lord Advocate occasionally gave the Scotch Members what he called a touch of the rough side of his tongue; why did he not in the same way give a taste of his quality to the First Lord of the Treasury and let the First Lord understand the exact nature of his "unruly" Member in that particular? He was not going to allude very particularly to the emoluments of the Lord Advocate, or appeal to the fact that the Lord Advocate was well paid for the work he did or possibly did

not do, because he was perfectly sure the Lord Advocate was amenable to higher considerations. But those were matters which occurred to his meaner intelligence, and it had also occurred to him to make a little calculation in the way of comparing the emoluments with the utterances of the Lord Advocate in this House on Scottish Business. Dividing his income by his outcome, he found that, almost as exactly as could be, he cost them about half-a-crown a word or a shilling for every second syllable, so that it might literally be said of him as was said of a still more distinguished compatriot of his and theirs in the last century who came up to London, that when in London, and especially in Parliament, he could not open his lips or move his mouth but "bang went six-pence." He thought that if the Lord Advocate would give them the assistance of his extremely valuable speech they might be in a better position. Why should the Lord Advocate be so afraid of the First Lord of the Treasury? Why should he shrink from telling the First Lord what the rights of Scotland were in this matter? Why should he not, in language that had now become classic, "Make it hot for old Smith and Co.?" Why should he not take a leaf out of the book of the famous Roman Emperor who, whenever he saw the unfortunate general, kept saying to him "Oh, Varus, where are my legions?" Why should not the Lord Advocate, in the Lobbies, in the dining rooms, or even in Society, buttonhole the First Lord whenever he saw him, hold him "with his glittering eye" and din into his ears, "Oh, First Lord, where are my three weeks, where is my fortnight?" as the case might be. He ventured to suggest to the Lord Advocate to consider whether he could not with profit and advantage to his country play the part of the importunate widow with the Unjust Judge in the parable. The Lord Advocate was well acquainted with that case. Why should he not badger the First Lord, deal with him to such a degree that at last the First Lord, in desperation, would be compelled to say, "Although I neither fear God nor regard man, yet because this Lord Advocate troubleth me I will arise and give him his three weeks." If he were the Lord Advocate he would not give the First Lord the life of a dog. He would make the right hon. Gentleman's existence a burden to him until he came down handsomely on the question of time for Scotch Business. While they were doing their best to ask the Lord Advocate to prevail on the First Lord to deal with them justly, he knew that they could only do that for a short time, because they were going to lose the Lord Advocate. He was not to be long with them. An arrangement had been entered into by which a distinguished Peer and Judge in Scotland was to vacate the presidency of one of the law divisions in the Court of Session.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): This matter has been alluded to in this House before, and I have never taken notice of it hitherto; but I have to say now that there is not one word of foundation for the statement the hon. Gentleman is making. I do not expect if I leave this House it will be under any arrangement with any person or set of persons whatever.

MR. WALLACE said, he had not stated it was an arrangement between the Lord Advocate and anybody. He said it was an arrangement which was going to take place, and prophecy was as open to him as to the Lord Advocate. The Lord Advocate had misrepresented him entirely. He did not say it was an arrangement with any person. He was simply going to state what was going to take place, and what he thought and believed was going to take place. The point which the Lord Advocate had taken up was, of course, unintentionally leading the House on a false issue.

MR. J. H. A. MACDONALD: If the hon. Member did not state that an arrangement had been made, then I apologise for having interrupted him at all; but he distinctly said that an arrangement had been made.

MR. WALLACE said, he had stated that an arrangement had been made, but he did not say that an arrangement had been made of which the Lord Advocate had any knowledge or with which he had any personal connection. He was most careful in his statement. He was only predicting that they were going to lose the Lord Advocate by an arrangement made by other people; but the mere fact that the right hon. and learned Gentleman did not know what was going to happen, did not pre-

vent them from saying what was going to happen. His knowledge was not to be measured by the Lord Advocate's ignorance. It was the most infantile fallacy than any reasonable being could be called upon to consider, but since he saw it was painful to the Lord Advocate to contemplate the possibility of his being taken from among them, he would not refer further to the subject. He was going to refer to the right hon. and learned Gentleman's departure with pain and regret in consequence of the many losses there would be in connection with public life in Scotland, though it was his duty here to accuse him of certain deficiencies. It was the most singular experience he had had almost either in public or private life to find the Lord Advocate contemplated his own promotion with pain and resentment. There was another person that they had a right to make responsible in this connection, and that was a Gentleman who, unfortunately, was not present, for he would have been too pleased to deal with him in his presence. He referred to the Solicitor General for Scotland. He did not know, he had often wondered, what was the meaning or the call for the existence of a Solicitor General for Scotland. He had early been taught that "all creatures had been fashioned for a wise purpose," but he must say that the teleology of the Scotch Solicitor General was too much for him. He had not been able to see any purpose, wise or unwise, which the Solicitor General for Scotland served. When he had seen him sitting beside the Lord Advocate the idea of the whale and the sprat of Scottish politics had less occurred to him —["Oh, oh!" *and* "Question!"]—than that while the Lord Advocate really did nothing the Solicitor General for Scotland was there to see that he did it; in short, that he was merely the "sweet little cherub that sits up aloft to keep watch o'er the life of poor Jack." The Solicitor General for Scotland in that connection should be made to have some responsibility. The Solicitor General for Scotland had absolutely no visible connection with Scotch Business. He had never heard him open his mouth in the House on Scotch Business.

An hon. MEMBER: He has answered Scottish questions in the absence of the Lord Advocate.

MR. WALLACE said, an hon. Member reminded him, indeed, that the Solicitor General for Scotland had lately made a speech on Scotch disestablishment, but that speech was really one addressed more to Imperial than to Scotch considerations. The hon. and learned Member was put up by the Front Ministerial Bench more in the capacity of the saucy street boy, who was to chaff the heavy and conscript fathers on the Front Opposition Bench. He was not going to deny——

MR. SPEAKER: Order, order! I must call the attention of the House to the great abuse involved in the course which the hon. Member is pursuing. The hon. Gentleman is not only talking at extreme length—I do not complain of that, which it is competent for him to do—but he is repeating the arguments he made use of on the last occasion, and repeating himself to-day on a subject which is purely a financial one. I have never in my experience known the latitude allowed abused so much as in the case of the hon. Gentleman, and I submit with great respect to the House whether they will allow this sort of thing to go on.

MR. WALLACE said, he was extremely unwilling to incur the Speaker's censure or disapprobation; but he was not conscious that he had been wandering from the rights that belong to him in discussing the point, but, of course, at once he accepted with respect any judgment the Speaker was pleased to pronounce, and assured him that with the heartiest willingness he would try to conform himself to what the Speaker ruled. But he must, at the same time, say that he was put considerably at a loss by the ruling just made. He had a good deal to say on the subject of the Solicitor General's relation to this matter, a subject on which he did not think he had spoken previously, and he was not aware that he could possibly have been repeating. Well, he should omit entirely what he was prepared to state with respect to the position of the Scottish Law Officers in regard to Scottish Business, because he was now without hope of giving the Speaker satisfaction in that connection. The style in which he was going to speak was pretty much the style in which he had been speaking previously, and although it did not seem to him to be what was improper in

this House, he did not persevere in it. He would appeal, if not to the Scottish Law officers, to the English Members and the First Lord of the Treasury. He asked English Members to consider in what position Scottish affairs stood. The Scottish Members had the greatest respect for the English nationality, but he thought English Members ought really to give some consideration to Scottish Members and to their claims and interest. Scotland was a small nation, it was true, but they had some merits and some claims—and to give them no time or attention at all was to make an oppressive use of their power. He would appeal to the First Lord himself. Although the Scottish Members were his political opponents, he was sure he spoke for himself and many of his Colleagues in saying that they regarded the right hon. Gentleman, not only with personal respect, but with a sort of sneaking affection. Although he almost always kicked them downstairs, he did it in such a pleasant style that they might almost fancy he was handing them up. At the same time, his fine words were of very little profit, and he would ask him in all fairness to consider whether the Scottish Members were to be treated with the justice to which they had a claim. He knew it was too late now to exact the full measure of their demand. He believed they had, perhaps, been too late in presenting their account, and if the account must stand over, he must ask the right hon. Gentleman during the Autumn Session to hand over to the Scottish Members as much of their claim as could be paid them. In the position to which he had been reduced by the Speaker's ruling, he must, of course, sit down without having delivered the speech he had intended to make, and which was certainly designed and believed by him to be strictly relevant to the point, and to be of such a nature as to have enabled him, in some measure, to have performed a duty which he believed to be owing to his constituents and to his country in this matter.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I trust the House will allow me at once to intervene in the debate, and to say a few words, a very few words, for I noticed one portion of the speech of the hon. Gentleman with great approval—that is, when he quoted the saying that a man is wise when he speaks little. Whether a larger amount of wisdom might be attributed to this House if hon. Members would but follow that excellent adage, I am not prepared to say, Sir, at present. I will not follow the hon. Gentleman's observations so far as they are merely personal. I am sure he would not wish that I should attempt to enter upon the questions he has raised, sometimes with good humour, and sometimes, as I think he himself will feel when he reads the report of his speech, in a taste that there is some slight reason to regret. But the hon. Gentleman has spoken of the position of the Lord Advocate with reference to the Government and to myself, in regard to the arrangement for Scottish Business; and it is only just to the Lord Advocate to say in his presence, and to the House, that he has been incessant in his representations to the Government to provide better opportunities for the transaction of Scottish Business. I think it would be most unfair to him, and most unfair to the Secretary for Scotland, if I withheld from this House the statement of that fact, that these statements have been repeatedly and persistently made, and that, in the exercise of the discretion vested in me, and the necessity I have felt under to proceed with the other Business before Parliament, I and my Colleagues in the Government have been unable to make the arrangements which the Lord Advocate desired for the prosecution of Scottish Business. Sir, the Government and I, as their representative in this House, are responsible, wholly responsible, for the course that has been taken. When I say wholly responsible, I must include within that responsibility also the action of Members of this House. We have from time to time asked the House to consider Business which we felt to be of the highest importance, and I think few hon. Members of experience in the Business of this House would have said that anything like a business-like arrangement of time could have been effected unless we had proceeded day by day with the work which we have in hand. Take, for example, the measure of the Chancellor of the Exchequer for the Conversion of the Funds. Take the Local Government Bill. Any hon. Member who has experience in this House knows that if it is desired to

make progress with any particular Business, that Business must be proceeded with when the House takes it up from day to day, unless some overwhelming necessity arises. That is the statement I have to make to the House with regard to the course I felt it necessary to take in the arrangements for the Business of this Session. The hon. Gentleman says that Scotland has been treated with contempt, and that the rights and interests of Scotland have been entirely neglected. I must remind the hon. Gentleman that Scotland has had an enormous interest in the measure of the Chancellor of the Exchequer for the Conversion of the Funds. Scotland has had a great interest in the Railway Rates and Traffic Bill, and in the Employers' Liability Bill. It is a mistake to suppose that Scotland does not share with England in all measures of Imperial importance, and it is with measures of Imperial importance that we have proceeded during the course of this Session. I admit that the Local Government Bill does not apply to Scotland; but it was always understood that the Local Government (England) Bill must precede the Local Government (Scotland) Bill, which, when it is taken up, must be proceeded with in precisely the same manner as the Local Government (England) Bill was proceeded with. I say it is for hon. Members of this House to provide the time necessary for the transaction of its Business. There is no Legislature in the world in which so many speeches and of such length are made as in this House. There is no Legislature charged with such important Business, and I venture to think, Sir, that the extent to which speeches now are carried, and that on a question of this kind the hon. Member thought it necessary to make a speech which lasted more than an hour, is evident that the Legislature of this country must break down if any large proportion of the 670 Members who constitute it think it right to exercise their privilege and their right of speech to the extent to which they have power to do so, but to an extent which would render reasonable discussion almost impracticable. Why can we not follow the example of our neighbours in France? There they sit, from four to six hours a-day, at most, to transact their business. I do not mean to suggest that we should shorten the period of our proceedings; but surely nine hours a-day for six or seven months in the year ought to be sufficient, if hon. Members exercise that self-restraint which has been exercised in past years—the self-restraint of not repeating arguments or statements of fact, but only of speaking when hon. Members have something absolutely new or valuable to communicate to the House. I make that observation to the House with very great respect, and with some hesitation, and I was only tempted to do so because of the remarks of the hon. Member for East Edinburgh. There may be wise men who speak much, but there is a great deal of truth in the proverb quoted by the hon. Member, and unless the House of Commons recognizes that truth I am afraid it may find out before long that it has lost that command and control of its powers of doing Business which it formerly exercised. The hon. Member has said that there ought to be at least three weeks devoted to Scottish Business.

MR. WALLACE: Three weeks of legislative time.

MR. W. H. SMITH: I have already pointed out to the hon. Member that Scottish Business is involved in the general measures which have come before the House of Commons this Session, and in which Scottish Members have taken an important part. If it was necessary that there should be a separate Railway Traffic Bill, a separate Employers' Liability Bill, a separate Conversion Bill for Scotland, I could understand the views of the hon. Member, and I could understand him if there was a great measure of importance for Scotland and adequate time was not being given for its consideration; but that is not now the case, and I can only promise that, so far as is in my power to do so, I shall, when such a measure is being considered, endeavour to make arrangements whereby it shall receive that consideration which the House of Commons ought to give to it. With regard to the arrangement for Wednesday, I was under the impression that it was one of which the majority of the Scottish Members approved. It is, of course, difficult to meet the views of all Scottish Members, but it seems to me desirable that I should go as far as possible to meet the views of the majority. If it should on Wednesday appear—as I have already stated in reply to a Question—that the majority

of Scottish Members do not desire to proceed with the Scottish Business that day, then, of course, we shall bow to their wishes; but I feel bound to offer them an opportunity for proceeding with a measure which I understood was a purely domestic Bill, and was more of a consolidating character than one involving new principles and new legislation. Be that as it may, it is only right that I should take the sole and entire responsibility for the course which the Government have thought fit to take, to relieve my right hon. and learned Friend the Lord Advocate from any imputation or charge whatever of any neglect of the interests of Scotland, and to assure the House that I have the greatest desire to do that which I believe to be best in the interests of Scotland, by providing that when a measure is taken up it should be carried through, and that certain amounts of time should not be given to it at intervals far apart, which hinder rather than assist that complete settlement of questions which are of importance. I trust that the House, having regard to the present position of Public Business, may terminate this debate very speedily.

DR. CLARK (Caithness): I shall have to ask some questions first.

MR. W. H. SMITH: The hon. Member can, of course, ask any questions; but I hope we shall terminate the debate in order to make some progress with the actual Business of the country.

MR. BRYCE (Aberdeen, S.) said, that he sympathized with the desire of the right hon. Gentleman to go on with the important Business on the Paper; but it was necessary to make it clear that the Government was responsible for the neglect of Scotch Business. The culpability of the Government in this matter had never been more completely proved than during the present Session. He asked the House to remember the new powers which had been given to the Government. They had had a new Code of Procedure passed this Session by which they had had every opportunity of conducting the Business of the House with greater expedition than heretofore, and of which they had not failed to take full advantage by a frequent use of the closing power. He should like to remark, also, that in no Session since 1880, he might almost say since 1875, had so little time been wasted. He appealed to hon. Members if debates had ever been more practical or condensed, and whether, even on bitterly contested Irish questions, there had been much of what was commonly called Obstruction? In fact, there had been every desire on the Opposition side of the House to forward and advance the main measures of the Government. In such circumstances, hon. Members, and Scotch Members especially, had very strong reason for complaint as to the manner in which Business had been conducted. This was not a new thing; it had been going on for many years. The right hon. Gentleman had referred to some Business in which Scotland was interested along with England; but he would remind the right hon. Gentleman that the Railway Traffic Bill had been entirely disposed of by a Grand Committee upstairs, and had occupied less than six hours of the time of the whole House. Therefore, Scotland, in this respect, had made no claim on the time of the House. A comparatively small portion of time had been devoted to Irish affairs, indeed far less time than their importance demanded, during this Session. When the Procedure Rules were being discussed, a Motion was made by the hon. Member for Kirkcaldy (Sir George Campbell) and the hon. and learned Member for Dumfries (Mr. R. T. Reid) for the appointment of a Scotch Grand Committee. Scotch Members put the case then, as they did now, as to the neglect of Scotch Business, and spoke of the growing discontent in Scotland; but the Government refused to give the slightest attention to their case. They then pointed out that there were a large number of Bills which had not the chance of passing a second reading, unless they were sent to a Grand Committee, but which three-fourths and even four-fifths of the Scotch Members were prepared to support. There was, for instance, the questions of rights of ways and rod fishing—and in regard to some of these measures they were supported by Scotch Members on the Ministerial side of the House. They could not get forward these Bills because the Government would not give them facilities. The Government did not realize how serious the position was. They did not think of the dangers they were unconsciously helping to bring about by their neglect of Scotch affairs. He could assure the First Lord of the Treasury, and he believed he was stating less rather than more than what was said

and felt in Scotland itself, that the feeling of Scotland was very deep and strong on this point. The Scotch were not a noisy people. They did not resort to the methods sometimes taken by other sections of the House in order to make their feeling felt, but it was none the less strong and none the less likely to prove a serious factor in the future. This neglect of Scotch Business, if it continued, would take the shape of proposals as to methods of legislation which would be very unwelcome to right hon. Gentlemen opposite, which would increase the difficulties already felt in adjusting the legislative relations of the three or four parts of the United Kingdom to one another, and might eventually bring about a state of things that would tax to their utmost the constructive powers of the statesmen of this country to introduce arrangements which would do justice to the reasonable claims of the people of Scotland. He expressed no opinion as to the desirability in themselves of the changes to which he referred; but he warned the Government that the unwise course they were following was likely to bring those changes about.

DR. CLARK said, he wished to ask questions as to one or two matters, and he was sorry they were compelled to do it in the House, because hon. Members from Ireland took possession of the whole time in Committee, and this was their only chance. The only thing he would say in regard to Scotch Business was this—he believed the Lord Advocate had done his best, and that Lord Lothian had done his best; but the House knew that Scotland had not got any Representative in the Cabinet. The Chief Secretary for Ireland (Mr. A. J. Balfour), being a Scotsman and a Member of the Cabinet, represented Scotland there; but he did not think they could take that right hon. Gentleman as in any sense representing Scottish ideas. The only way in which they could expect to get any Scottish Business attended to was to have the Secretary for Scotland a Member of the Cabinet, and not kept any longer in his present unfortunate and uncomfortable position. At the beginning of the Session the Clashmore case was brought before the attention of the Lord Advocate, and since then—when they were prepared to give evidence that the wrong man had been convicted, and that Mr. Matheson was miles away from the place where the crime was committed—the man who had committed the crime had gone to Edinburgh to surrender himself to the authorities. The Lord Advocate, when the question was previously discussed, said that when the men who were guilty came forward and confessed, other men would not be punished; but the person who went to Edinburgh to confess the crime had to wait for three days before he was arrested. He brought the woman's dress with him, and he was in some respects like Mr. Matheson, who had been in prison for seven months. This man, who surrendered, confessed his guilt, and he (Dr. Clark) wanted to know why Mr. Matheson had not been released? They had sent the real culprit 150 miles away to go before the authorities there, and now he was going for trial; but why should the innocent be kept in prison? He hoped the matter would be settled without any delay. Another question on which he desired information was in reference to the appointment of the Procurator Fiscal for the county which he had the honour to represent. He did not complain that it was a Tory agent who was appointed, for probably he was as good a lawyer as a Liberal agent; but he did blame the Lord Advocate that after the repeated statements that the Procurators Fiscal would be no longer landlords' agents where there were new appointments, and although pressure was brought to bear by every other law agent in the country to prevent his doing any private business, this new Fiscal had been appointed with permission to transact private business. All the Commissions which sat on the subject reported in favour of making the Procurators Fiscal Crown servants only. He hoped to get some satisfactory answer on that point, He also desired to know why the Government had not fulfilled the pledge given last year, that this Session a Bill would be introduced to amend the Act with reference to the Scottish Fishery Board, so that the reconstitution of the Board, which was so much needed, could take place? There was also the question of the salaries paid to Scottish prison surgeons and chaplains. He did not trouble himself about the chaplains; but he urged that the salaries of Scottish prison surgeons, who had more work than the surgeons of either English or

Irish prisons, should be put on the same scale of salaries as English prison surgeons. He understood that even the Scotch Secretary had pressed this matter upon the Treasury, and he (Dr. Clark) wished to know whether this injustice to Scotland was to be put an end to? Then there was the work of the Crofters Commission, on which some information was needed. There were two counties, he believed, where the Commission had never yet gone. His own impression was that the Lord Advocate did not trouble himself about this Commission, because he thought that the Commission had not been reducing rents any lower than the landlords were voluntarily doing. But this was a mistake. Lord Lovat, who was looked upon as a good landlord, voluntarily reduced his rent 17½ per cent; but the Commissioners had made much greater reductions. He complained also that the men whom the Commissioners appointed valuers had not the confidence of the people. They had been appointing a class of theoretical men, who did not know very much about the matter—men who had been acting as factors and sub-factors instead of farmers, and men who knew practically little about the subject. He had no complaint to make about the manner in which Sheriff Brand, as head of the Commission, had carried out the Act; but he had a great deal to complain of the factors who were put on the Commission. It was not wise for Judges to go to houses and drink with people who were affected by there judicial work. That might be all right while the factors were merely factors, but now they were Judges they should not do so. He concluded by expressing the hope that Mr. Matheson would be liberated without delay, as every condition required by the Lord Advocate for that purpose had now been fulfilled.

Mr. E. ROBERTSON (Dundee) said, that the First Lord of the Treasury had said nothing that should induce him to refrain from associating himself in the protest his hon. Friend (Mr. Wallace) had made as to the neglect of Scottish Business. The grievance of which the Scotch Members complained was by no means confined to this Session; if it were, he would not care to occupy the time of the House about it, but it was a chronic, increasing grievance. On the 10th of August, 1887, towards the end of one of the longest and most laborious Sessions in our Parliamentary annals, he made a mild protest to the effect that the House of Commons was called upon on a Wednesday afternoon to discuss in a few hours the whole legislative programme with regard to Scotland, and that, as far as Scotland was concerned, the Session was beginning that day. The same words would apply to the Session of this year. For two years and more Scotch Members had been addressing appeals to the Government for some little consideration with regard to specific Scotch Business, and the answer was such that they were compelled to make a stand. The grievance was a national grievance; it amounted to a persistent, systematic, continuous, and repeated neglect of Scotch Business in that House. The right hon. Gentleman spoke in a tone of complaint of the time taken up by his hon. Friend, forgetting that, when this Vote was before the House a few nights ago, the whole of the time was taken up by the Irish Members, and that these Members had had much more of the time of the Session than the Scotch Members. All that Scotch Members got was an hour at the tail end of the Address, and a few hours at the fag end of the Session. The Burgh Police Bill they were asked to discuss in a few hours on Wednesday—a monstrous volume of 561 sections, ever so many Schedules, and about 300 pages. An hon. Friend reminded him that it had been nine years before the House, and frequently before Select Committees.

Mr. J. H. A. MACDONALD said, it had never been before a Select Committee such as considered it this year. It was a Select Committee consisting of 25 Members, all of whom were Scotch Members, with two exceptions, and one of these was a Scotchman, so that there were 24 Scotchmen on the Committee.

Mr. E. ROBERTSON said, that he was informed by an hon. Friend, who was longer in the House than the Lord Advocate, that it had been before as large a Committee prior to this year.

Mr. J. H. A. MACDONALD said, that on former occasions the Select Committee consisted of the ordinary number of nine; but on this occasion there were 25 Members.

Mr. E. ROBERTSON said, that he believed that one of the previous Select

Committees was even larger than that number. But the reason why the Bill had never passed was that it had always been thrown at the heads of Scottish Members at a period of the Session when it could not reasonably be dealt with. Scottish Members and Scotland itself were not ravenous for legislation. It was the Government themselves who wanted a bulky Statute Book, and that was the reason why they were pressing forward upon them these measures at the end of the Session. Now, Members sitting on his side of the House had no reason for helping the Government to push these matters through; and if the Government wished to legislate for Scotland, and asked for facilities, they were entitled to expect two conditions, the first being that the measures should be brought forward in decent time, and the second that Scottish Members should be allowed to make some kind of selection of the legislation to be proposed. He had not the least doubt that the Scottish Members would not choose the Burgh Police Bill; but they would certainly choose the Returning Expenses (Parliamentary) Officers Bill. That measure had been approved by a Committee of Scottish Members every Session he had been in Parliament, and he would not mind taking half-an-hour on Wednesday afternoon for the purpose of proceeding with it. It was not in regard to legislation alone that Scottish Members had a right to complain of the position to which the action of successive Governments had reduced them. They felt they had no practical influence on the Government of the country. He was not speaking of this Government or that, and particularly he was not blaming the Lord Advocate. Indeed, he should be prepared to re-assert the statement of the First Lord of the Treasury, that the Lord Advocate had done his best to press Scottish Business on the Government. One reason why they were in this lamentable position was the result of the legislation for the institution of a Secretary for Scotland. No doubt that proposal was a good one; but as it had worked, he knew it had done evil rather than good, in so far as the influence of Scottish Representatives on the Business of their country was concerned. Previous to the institution of this Office they had the Lord Advocate, one of the most powerful officials known to the British Constitution. In his early days he always regarded the Lord Advocate as the greatest dignitary. He was equal to the Lord Chancellor and the Attorney General rolled into one. What was he now? There were "None so poor as do him reverence." In his place they had got a degraded Lord Advocacy in this House. Official, of course, he meant, and not personal, and his Office was taken by a Gentleman who was not a Member of the House nor a Member of the Cabinet. As compensation for the reduction of the influence of the Lord Advocate they ought to have the Scottish Secretary, if not with a seat in this House, at least with a seat in the Cabinet, and the absence of that condition was far more powerful than any personal cause in producing the predicament into which Scottish Business had fallen. They were told they should accept the result of a Select Committee, because it was composed mainly of Scottish Members; but the Government refused their request at the beginning of the Session to establish a Standing Committee of the Members for Scotland, and that unwise rejection of the proposal was one of the causes which had led to the state of matters of which they complained. But he was bound to say the Scottish Members themselves were not wholly guiltless in this matter. He believed the supineness of the Scottish Representatives, their willingness to become the mere tools of Parties on one side or the other, had contributed to the condition of things complained of. He had a Resolution sent him by an Advanced Liberal Association in Scotland, to the effect that while the Scottish Members were roaring lions on the platform, they were as timid as turtle doves in the House. He believed it was because they had not asserted themselves that they had been obliged to make this complaint. The hon. Member for South Aberdeen (Mr. Bryce) warned the Government that this question had a much larger interest than they seemed to be aware of. In the speeches of the hon. Member for Elgin (Mr. Anderson) and the hon. Member for Edinburgh (Mr. Wallace) they heard what he was afraid was the first rumble of Scottish Home Rule. They might be told by the Chairman of Committees that these were merely the murmurs of Provincialism.

If they were, let them take care they did not by their mismanagement convert them into the thunders of Nationality. He was not disposed to sympathize with an exaggeration of national claims in this House or out of it, but he looked with apprehension to the developments which were taking place. His ideal was a state of things in which they should neither be English, Scottish, Irish, or Welsh in the House, but should all feel members of the greatest nationality in the world—the British Nationality. It was because he wished to avoid causes which would produce a result in a contrary direction that he asked the Government, before it was too late, to give some attention to the respectful protest they had made on behalf of the Scottish nation. He should like to ask whether his Liberal Unionist Colleagues were going to help them in the demand they now made? Scotland had contributed a larger number of supporters to the Liberal Unionist Party in proportion to her representation than any other portion of the Kingdom. He asked his hon. and learned Friend (Mr. Finlay), who was a leader of the Liberal Unionists—the Party consisted entirely of leaders—and he should like to know whether he was going to take the same line on this question as he did when the question of the Scottish Committee was before the House? He hoped his hon. and learned Friend would not discuss it at considerable length, and then wind up by informing the First Lord that it was time the Question was put. He hoped his hon. and learned Friend and others would insist on their right to associate with the Liberal Party on general politics, and give them the benefit of their support to-night. His hon. Friend the Member for Edinburgh, no doubt, spoke strongly and at considerable length. It might be some of his expressions did not suit the fastidious taste of the First Lord of the Treasury; but the substance and gist of what he said would undoubtedly commend itself to the people of Scotland. The advanced section of the Scottish Liberal Party were determined to submit to the state of things in this House no longer. They did not believe their constituents liked to see them pick up legislative crumbs. No matter what expressions his hon. Friend the Member for Edinburgh might have used, he (Mr. E. Robertson) associated himself most absolutely with the spirit and substance of the speech he had made.

MR. CRAIG SELLAR (Lanarkshire, Partick) said, he greatly regretted that a Member representing any Scottish constituency should have laid himself open to such a severe and, he was bound to say, such a well-merited rebuke from the Chair that evening as the hon. Member for East Edinburgh (Mr. Wallace) had done. He (Mr. Craig Sellar) wished to dissociate himself entirely from the manner and method of the hon. Member. He sympathized to a large extent with some of the complaints he made; but he felt that both the manner and the complaints themselves had been largely exaggerated. When they heard such phrases as these—"The Scottish Members have sunk to the lowest level of contempt," and that—"They are the laughing stock of other Members of the House," he thought he was not far wrong in saying without exaggeration that the language was somewhat overstrained. One complaint especially made was that, when Scottish measures were before the House, Scottish Members were left by themselves to discuss them. He did not think that was a legitimate reproach to cast upon them. On the contrary, it seemed to him that the Members of the other three nationalities had perfect confidence in the reasonableness and justice of the Scottish Members, and so left them to fight their battles out amongst themselves. That practice, which had been followed for many years, was a potent reason why they should hesitate some time before appointing a Special Scottish Committee; but these objections had been chiefly made by hon. Members who had not been for a very long time amongst them. He did not profess to be an old Member himself; but since 1870—18 years ago—when he became Secretary to the Lord Advocate, he had carefully watched the progress of Scottish Business, and he had read the reports of its progress prior to that date, and he found that there had been periodical outbreaks with regard to the conduct of Scottish measures. Surely his Colleagues would admit that they were much better off now than they were of old, for the reason that they had now got a Scottish Secretary. [*Cries of* "Oh, oh!"] He agreed it would be much

more satisfactory if the Scottish Secretary were a Member of the Cabinet, and he should be glad also—though they all regarded the present holder of the Office with respect, and admitted that he performed the Scottish work with great acceptability to the whole Scottish nation—if they had a Gentleman sitting in the House of Commons rather than in the other House, and he hoped the result of this discussion would be to hasten the time when the Scottish Secretary would be a Member of the Cabinet. He would like to ask this question. Granting that they had some ground for complaint, did they compare so very badly with other portions of the Empire? Were matters specifically connected with India treated with more respect than those specifically connected with Scotland? Were there not periodic complaints of the way in which the Indian Budget was postponed to the fag end of the Session? Were matters specifically connected with England and Wales better treated than specifically Scottish matters? It was true that the principal measure which the House had dealt with this Session referred to England and Wales, but its main principle was that local affairs should in future be managed by Bodies elected by the ratepayers. It was of great importance to Scotland that that principle had now been accepted; and when they came to deal with the Scotch Local Government Bill, as he hoped they would in the next Session, they would have the benefit of the discussion which had taken place on the English Bill. Ireland, he admitted, did absorb more time than the other portions of the Kingdoms; but was she more happy or prosperous on that account? He believed if they were to poll the people of Scotland, they would declare that they preferred their own position of less political legislation and less agitation than that of Ireland, with extra legislation and extra political agitation. The hon. and learned Member for Elgin and Nairn (Mr. Anderson) complained chiefly on five points. Firstly, that they had had no Bill this Session dealing with trout and salmon fishing; but surely they should be able to get through until the next Session without such legislation, especially as the season was nearly over.

MR. ANDERSON said, he had referred to the fact that the promised Bill dealing with trout and salmon fishing had not been introduced.

MR. CRAIG SELLAR: Then as to the Universities Bill, they were all agreed on its principle; it was merely the appointing of a Commission to reorganize tho Scottish Universities, and the discussion on the second reading might be taken on a very short afternoon in the Autumn Session. As to the Burgh Police Bill, since it was conceived 10 years ago it had been undergoing perpetual discussion in Scotland and in both Houses of Parliament, having been dealt with by a Committee of the House of Commons in 1885, by a Committee of the House of Lords in 1886, and this Session by a large Committee of the House of Commons, whose total of 25 Members included no less than 20 Scottish Representatives. They might easily take the Committee stage, and he hoped they would do so, if they did no more at this period of the Session. Then the hon. and learned Member complained that they had got no Private Bill legislation for Scotland. That was a subject to which he (Mr. Craig Sellar) had paid a great deal of attention, and if any Scottish Member was entitled to complain it was himself. But instead of making a complaint, he was satisfied with the position in which the matter stood to-day. The Government took a very wise course in consulting the House of Lords before bringing in a measure and pushing it forward. They appointed a Joint Committee of both Houses, which had reported most favourably in regard to legislation, and he hoped next year the Government would introduce a Bill which would go triumphantly through both Houses. The Conversion Bill, the Railway and Canal Traffic Bill, the Merchant Shipping Bill, and the Employers' Liability Bill were all important measures that referred to Scotland, and of which Scotland would get the benefit; while in addition they would get the Burgh Police Bill, the University Bill, and the Bail Bill. This discussion would do no harm. It would do good in this practical way—namely, to expedite, he hoped very materially, the time when the Scottish Secretary would be a Member of the Cabinet.

MR. PROVAND (Glasgow, Blackfriars, &c.) said, with reference to the complaint of the right hon. Gentleman

the First Lord of the Treasury in regard to long speeches, the only Scotch Member who had made long speeches in the present Session was the right hon. and learned Lord Advocate (Mr. J. H. A. Macdonald). The time of the Session had been wasted, for example, by the Bill to provide a salary for the Irish Under Secretary. The measures which had been passed as applying to Scotland as well as England were Imperial measures; but every Session there must be before Parliament a number of Bills applicable exclusively to Scotland, and unless more time was given in future Sessions for such exclusively Scotch Business, the complaints that had been made in the present debate would become perennial. He was sometimes constrained to ask himself—"What are the Parliamentary duties of the Law Officers for Scotland in this House?" Of course, the Government had at last found employment for the hon. and learned Solicitor General for Scotland (Mr. J. P. B. Robertson) in supporting the Irish policy of the Government, but in the case of the right hon. and learned Lord Advocate he hoped it was not his duty to prevent them getting any time at all for the discussion of Scotch Business. The right hon. and learned Gentleman ought to support them in this House as far as he could. He did not ask too much, he did not ask him to support Liberal measures, but he ought to give them assistance in getting time for the discussion of measures that had been brought forward year after year and which had made no progress whatever. There was the Bill to throw the charges of Returning Officers on the rates, which, as a matter of fact, ought to have been included in the Corrupt Practices Act. It was notorious that the charges made by Returning Officers in many parts of the country were outrageously excessive, and ought to be checked. The question was neither Conservative nor Liberal, and the charges for Returning Officers should be dealt with as in the case of School Board and Municipal elections. He should prefer that the Scotch Business intended to be dealt with on Wednesday should be postponed till the autumn, and that they should have three days at the beginning of the Autumn Session to consider Scotch Bills.

MR. ESSLEMONT (Aberdeen, E.) said, he desired to emphasise the remarks that had been made by certain of his Colleagues as to the great disappointment that existed in Scotland as to their expectations in the Scottish Office. He was bound to corroborate what had already been said, that in place of Scotch Business receiving more attention since the establishment of the Scotch Office it had undoubtedly received less. He was satisfied, from information he had received from all quarters in Scotland, that until they had the official representative of Scotland in this House and until they had the Scotch Secretary in Parliament, there would be no satisfaction in Scotland in regard to the conduct of Scotch Business. With regard to the Scotch Burgh Police and Health Bill, he could not help observing that the opposition came from cities that had no interest in the Bill whatever. He was quite aware that a little part of a Wednesday was inadequate for the discussion of this Bill, but if the 500 odd clauses of the Bill were to be discussed in detail it ought never to have been sent to a Committee. Would the right hon. and learned Lord Advocate deny that legislation in Scotland was in arrears? They admitted all that the right hon. Gentleman the First Lord of the Treasury had said; but he (Mr. Esslemont) would say that during all the time he had been in the House they had got no time for Scotland whatever. During 1886 they had the Crofters Bill, but since that time they had positively had no time for Scotch legislation. The hon. Member for East Edinburgh was not wrong in saying that about three weeks was a fair allowance for Scotland in six months. Still, making all allowance for Imperial Business, they had never had six days. They had not had the questions brought forward that were undoubtedly in the forefront in the minds of the electors of Scotland. They had certainly listened to debates about the operation of the Crofters Act and the agitation in regard to the fishing industry in the Highlands of Scotland, but what turn had they had in the Lowlands in regard to fisheries? The Scotch Office knew that legislation was required in regard to the Fisheries. He did not confine that to the trout and salmon fisheries. The herring fisheries and the white fisheries on the coast of Scotland were a disgrace to any Government. The fishermen had not tenure

of their houses, they had no attention paid to their mussel beds, and one of the largest industries in Scotland was totally neglected. They were told that the reconstruction of the Scotch Fishery Board was under consideration, but in 1888 they were in exactly the same position as in 1878. He made the hon. and learned Member for Dundee (Mr. E. Robertson) a present of his appeal to the Liberal Unionist Party. The hon. and learned Member appealed to the Liberal Unionists to help the Scottish people; but the only Representative of that Party stood up and defended the Government, and told them that they had been well used, and ought to be thankful. He asked the hon. Member for the Partick Division of Lanarkshire (Mr. Craig Sellar) to go down to Scotland and make his position good under that delusion. The people of Scotland knew better. They were a moderate and law-abiding people, but they were determined that under the new Rules, where the Government had the time of the House, Scotland should not be entirely forgotten and utterly blotted out of legislation.

MR. J. H. A. MACDONALD said, he should not detain the House in regard to any personal matters. He was afraid that, in the earlier part of the evening, during the speech of the hon. Member for East Edinburgh (Mr. Wallace), he had intervened with some warmth, but he did so solely because mention was made of a personal friend of his own. He trusted Members of the House would not believe in such arrangements as the hon. Gentleman had suggested as possible. He would pass from this matter, and would not refer to it again. The hon. and learned Member for Elgin and Nairn (Mr. Anderson) said that, in his opinion, the Lord Advocate had nothing to do. The hon. Member for East Edinburgh said something of the same kind, and he remembered that at an earlier period of the Session the hon. and learned Member for Dundee (Mr. E. Robertson) said his only duty was to study the Order Paper of this House.

MR. E. ROBERTSON said, that what he stated was that the only duty he seemed to do was to study the Scotch Orders.

MR. J. H. A. MACDONALD said, these three hon. Members reminded him of three boys who sat down to consider what they would like to be. The first said he would like to be a railway guard, because he had nothing to do but swell along the platform, attend to the ladies, and get the tips. The other boy said he would like to be a policeman, because he had only to walk round the square and tell everybody to "move on," and then to eat cold mutton downstairs. The third boy said he would like to be a draper's assistant, for all he had to do was to roll up a ball of ribbon, make himself pleasant to very nice ladies, and to ask them what was the next article wanted. It was only perfectly natural that every man who had got his own work to do should consider the work of other people much easier. If, however, hon. Members had an ordinary day's work at the Scotch Office they would very rapidly change their opinion. In 1885 the incoming papers relating to Scotland amounted to 3,111; in 1886 to 4,998, and in 1887 to 6,387; and the increase upon the present year was in very similar proportion to that, so that in two years the actual amount of matter that had to be dealt with had more than doubled.

MR. ANDERSON: Does that include the Educational Department?

MR. J. H. A. MACDONALD: No; he was dealing with matters that had formerly been dealt with in the Home Office. The average per month, which, in 1885 was 325, had in 1888 been 838, or approaching three times the amount it originally was. But, of course, if hon. Members supposed that these were all put in the waste paper basket and not attended to, then practically they had nothing to do. He asked hon. Members who knew what had been done about this great Burgh Health and Police Bill, how many communications did they think had been received from all quarters of the country, and how many answers had to be sent; and how many important questions had to be considered; and how long did they think it occupied the Lord Advocate, who was supposed to have nothing to do, to attend to all that, and to be in a position to sit as the Chairman of the Committee on that Bill, and to receive the compliment that was kindly paid him at the close of the discussion there? The Government had been accused of dealing with Bills which they found in the pigeonholes when they came into Office. He

had thought that that was one of the first duties of a Government officer. If they found in the pigeon-holes Bills which year after year had been brought into that House, and with the strongest expressions of regret on the part of the community that these Bills had not been passed, did hon. Gentlemen mean that they should throw over important Business that was wanted by Scotland in order to run after something new? He thought their bounden duty was to take up the measures which they found in the pigeon-holes along with the assertion on the part of the community that they desired those Bills should pass, and to press them forward in order that they might be got out of the way. They took the course that was suggested by the hon. Member for Aberdeen. If this Bill was to be got out of the way, that could only be done by one process—and that was to send it once more to a strong Select Committee, and if the hon. Member for Aberdeen made that suggestion in good faith, as he had no doubt he did, he did it for the purpose of facilitating the passing of the Bill. But if a Bill of that kind had been sent on three or four occasions to Select Committees, and threshed out in these Select Committees, was it reasonable or wise to suppose that it was to be treated on the footing that it was an absolutely new Bill, and must be pressed on this Committee in the ordinary way as if it had never been threshed out before these Committees? He was sure that it would not be suggested. He appealed to hon. Members' reason and common sense and fairness when he said that no Consolidation Bill of this enormous size could ever be passed in any House of Commons or through any Parliament if every Member who thought he could possibly improve it by putting down 50 Amendments on the Paper was to do so. The thing was absolutely impossible; and if it was desired, as he knew it was desired, by the Scotch Members that the Bill should be passed—except those hon. Members who had nothing to do with it—such as the hon. Members for Edinburgh and Glasgow——

Mr. WALLACE said, he had never indicated any desire that the Bill should not be passed. He simply indicated a desire that it should have been fully considered in order to its being passed.

Mr. J. H. A. MACDONALD said, that was so, and the hon. Member had never been ready during the Session to discuss the Bill.

Mr. WALLACE said, he only saw it for the first time the other day.

Mr. J. H. A. MACDONALD said, he was quite certain the hon. Member had seen it for the first time only the other day; but among those who had expressed their objection to the Bill being taken on Wednesday there had not been a single Member who did not represent a constituency to which the Bill did not apply. He thought they were perfectly reasonable in that, because taking no interest in it, they wished something else to be brought forward instead of it. He suggested to them, however, that, as there were other Scotch Members who were determined that this Bill should not block the way—until something was done to clear it out of the way by passing it through instead of hauling it back, they had better accept the situation. This Bill had been very fully and carefully considered; it pleased the people who were interested in it practically as it stood, with a few reasonable Amendments. If they could only make reasonable progress with it on Wednesday this enormous omnibus, which blocked the Scotch Temple Bar, would be got out of the way to the satisfaction of everybody who was interested in it and of everybody who cared nothing about it. The other measure that was proposed was the Universities Bill, and that also had been in the pigeon-holes. It had received a considerable amount of attention on the part of hon. Members and on the part of the people in the community who were interested in the Universities. If hon. Members from Scotland had preferred that the Bill should be discussed during the present Sitting, it would have been so discussed; but hon. Gentlemen had thought it was better it should stand where it was till the Autumn Sitting, that it might then receive fuller discussion than could possibly be given to it now. No doubt there were most important points connected with it that would give rise to discussion on the second reading; but, with perhaps one exception, he thought the main points did not really affect the principle of the Bill. During the whole of the discussion that had taken place, both on Saturday and to-day, there was

one circumstance he had not heard mentioned, and that was of very considerable importance. That was, that while last year Parliament met in January and adjourned about the middle or end of September, they met this year on 9th February, and they did not propose that this Session should come to an end till the two months during which, if they followed the practice of last year, they would continue to sit had been added to the Session. At the end of the present year, therefore, practically, if the House was to adjourn next Saturday, as they all hoped it would, the Session was exactly in the same position, compared to last year, as if they had been in the month of July. With reference to the Question the hon. Member for Caithness (Dr. Clark) had asked about the Clashmore case, all he could say was, that before any Question was put the matter had been attended to and was at the point of disposal, and before the House adjourned his hon. Friend would hear what the result was. With regard to the question of Procurators Fiscals, he was entirely at one with the hon. Gentleman. It was most desirable wherever it could be accomplished, with due regard to efficiency and salary to be given, that no other employment should be held by Procurators Fiscal at all. That was his decided opinion. His opinion, also, was that in such cases that could be altered without monetary arrangements also being remodelled, as hon. Members knew was not always an easy matter where Procurators Fiscal were to be allowed to take any other employment besides that which related to his office of Procurator Fiscal, it should be of the nature, as far as possible, of what might be called public appointments, and not connected with the work of the law in any other department, or connected with agency for individuals. But these ideas could not always be fully carried out under existing arrangements. With regard to the Fishery Board, a resolution had been come to that no further Government measures should be brought forward this session except such as we were purely formal and non-contentious. They did not proceed to elaborate work that was postponed, but rather gave attention to that which was to be proceeded with. That matter, however, was being arranged, and would be brought in.

DR. CLARK: When?

MR. ANDERSON: Is the Bill drafted?

MR. J. H. A. MACDONALD: Well, it is not yet in a very artistic shape, because the moment they ascertained that no more Bills were to be brought in this Session, they did not go on elaborating it, but devoted themselves to other more pressing work. By that he did not mean that the policy was not shaped. They could do no more except use their best influence to prevent wrong being done, and remedy any that had been done. Questions had been asked him as to the Crofters Commission and the valuators appointed. Well, so far as he knew, no complaint at all had been received in official quarters in regard to the valuators.

DR. CLARK said, the Member for Sutherland (Mr. A. Sutherland) had called attention to the subject by a Question.

MR. J. H. A. MACDONALD said, that the Question was asked only within the last day or two, but in the regular course of Business the Scottish Office had had no complaint in reference to that matter at all, and when he answered the Question of the hon. Member he announced that the matter was one for the Commission to dispose of, and he thought from what the hon. Member said that he had perfect confidence in the Chairman of the Commission in such matters if his attention were called to it. Of course the officials at the Scottish Office and himself, as acting for the Secretary for Scotland in this House, must submit to be abused. He must submit, as the hon. Member for East Edinburgh had said, to be the whipping post of the Scottish Office. He sincerely trusted he would be able to bear the infliction; but all he could say was that he thought he might congratulate himself on being the subordinate of a Government that to-day had taken the generous part of standing up in this House and saying that the Government, and not the Scottish Office, were responsible. He had had no right to expect such generosity and he was extremely thankful that it was so, and all he could say was that the right hon. Gentleman the First Lord of the Treasury would not expect that his having accepted the responsibility would at all have the effect on him (Mr. J. H. A. Macdonald) of being more slack in the future in pressing Scottish Business on

the Cabinet. He hoped that in the remaining portion of the Session some good, real, and substantial Scottish Business would be done, and he was sure there would not be the same ground of complaint at the end of the year that the Scottish Members had at present.

MR. CAMPBELL-BANNERMAN (Stirling, &c.) said, he did not intend to occupy more than a few minutes, especially as the right hon. Gentleman the First Lord of the Treasury had delivered some strong observations on the subject of the length of speeches. But he thought it would perhaps have been better if the right hon. Gentleman had delivered that lecture to the House at an earlier period of the Session, because it might have enabled the right hon. and learned Lord Advocate to avoid being one of the most conspicuous transgressors against the rule of brevity; for on a certain occasion that Session, in a discussion of the Crofter Question, the right hon. and learned Lord Advocate certainly did not act up to the right hon. Gentleman the First Lord of the Treasury's admonition.

MR. J. H. A. MACDONALD: I always find it more easy to make a short speech when well prepared. A speech generally gets longer when delivered on the spur of the moment.

MR. CAMPBELL-BANNERMAN said, he had not detected in the speech any lack of preparation. He agreed with the decision the Government had come to as to which Bill should be proceeded with. The Scottish Members themselves met in the right hon. and learned Lord Advocate's office, and resolved that it should be the Burgh Police Bill that should be proceeded with, and he thought that decision was perfectly right. He did not blame the right hon. and learned Lord Advocate in the matter at all. The right hon. and learned Lord Advocate quoted statistics to show what a busy man he was; but it was just possible that the increased number of letters which reached his office was due to the fact that the business was in arrear. They did not blame the right hon. and learned Lord Advocate at all; but they said that the Government had so contrived, either by their disposition of the time of the House, or by the Rules they had introduced, or in some other way, that the Scottish Business throughout the Session had been almost totally neglected. The right hon. and learned Lord Advocate was very sanguine about the time they would get in the Autumn Session. He (Mr. Campbell-Bannerman) always put his tongue in his cheek when he heard the right hon. and learned Gentleman speak of what was to be done for them in the Autumn Session. Why, what was not to be done in the Autumn Session? The whole of Supply, all the contentious Votes for the Civil Services, the most contentious Votes for the Navy, the contentious Votes for the Army, were all to be taken in the Autumn Session. A Land Purchase Bill for Ireland was to be introduced and passed in the Autumn Session. The Tithes Bill, which would occupy time, was to be introduced and passed in the Autumn Session. The other Bills which had gone through the Grand Committees, and which had not yet been dealt with, were to be dealt with in the Autumn Session, and there was the Wheel and Van Tax. Where, he asked, was the right hon. and learned Lord Advocate to find the week or the fortnight that he promised them for Scotch Business? In view of all these things, the Wednesday they were to get this week was all they were likely to get for Scottish Business this Session. Only two Scottish Members had had a longer acquaintance with Scottish Business than he had, and he did not remember a time when there were not complaints of Scottish Business, but he never knew it so bad as it was now, and he had never known the feeling in regard to it so strong. The reason for this state of things was simply because the demands on the time of Parliament had so increased of late years, that the House of Commons could not do justice to them, and when there was a pressure of competing measures, the Scottish measures naturally enough were allowed to fall into greater arrear than the others. The new Rules of Procedure—and he should not like to see them departed from—had prevented Scottish Business from getting forward. The 12 o'clock Rule did not prevent the House going forward with primary Bills, but it had a fatal effect on secondary measures; and, therefore, it drove them more and more to this state of overcrowded Notice Papers, and it must ultimately drive them to one form or other of devolution. The con-

duct of the Government and the right hon. and learned Lord Advocate was therefore a secondary cause altogether. He thought the present condition of things was due, in a much larger degree, to the force of circumstances, and the Rules they had been obliged to adopt, and so they were driven more and more to the conclusion that the House of Commons was incapable of conducting the affairs of all the three parts of the Empire, and that they must have, in one form or other, a general system of devolution of Business. If the House and the Government continue to refuse the proposal which had been made for a Committee of Scottish Members, then the alternative to which they would be driven, and to which the mind of the country was turning, was that they must refer to a Body sitting in Scotland the Business which the House of Commons was unable to overtake.

MR. CALDWELL (Glasgow, St. Rollox) said, that anyone who lived among the people of Scotland, and who was at all acquainted with that country, must know that the way in which Scotch Business was being treated in that House was giving rise to a strong feeling in that country, which would very soon find expression in a very formidable manner. It was only the worst enemies of the Government who would seek to defend them when their conduct in this matter was utterly indefensible. With regard to the Burgh Police and Health Bill, that was a Bill that was found in the pigeon-holes of the Government, and it was very good of the First Lord of the Treasury to take the responsibility on himself; but, so far as regarded the Bill, the Lord Advocate was greatly to blame; for although it was introduced in February, he did not call a meeting of the Scottish Members to consider it until the end of May, thus losing two valuable months, during which they might have considered it. The result was, that it only came from the Committee at the end of last week, and in those circumstances it was impossible for hon. Members to go into the Bill in the few days that were left, and therefore they made, what he thought, a most reasonable request, when they asked that it be left over for consideration to the Autumn Session, in order that the people of Scotland might consider it, now that it had been finished by the Select Committee. Seeing that the right hon. Gentleman was in his place, he would like, also, to point out to the Chancellor of the Exchequer, with reference to this Vote on Account, that Scotland was not treated in any proportion like England in the matter of subsidies from the Government. For instance, they gave out of the Imperial funds £40,000 to manage the charities of England; while Scotland did not get a single copper for managing her charities. Then they took £10,000 for managing a Land Commission in England. In Scotland, they had to pay for that out of their own pockets. Then there was £150,000 given to England for Local Government purposes, for which Scotland did not get a copper, but paid for entirely out of local taxation. The injustice of this was proved by two illustrations. One was, that Scotland contributed to the Imperial Revenue more per head of the population than England; and the other, that Scotland got less per head of the population in the shape of grants than England. The Chancellor of the Exchequer had also contrived, in distributing local grants in aid under Local Government, to give four-fifths to England, with the result that Scotland got less per head of the population for local purposes than England. They did not require any more facts to convince them how unfairly Scotland was treated. What he objected to was this: They on that (the Ministerial) side of the House, and the Liberal Unionists, of whom he was one, went in for treating each part of the Kingdom equally. Why should there not be equal treatment in such a matter as taxation? Why should a local body on this side of the boundary receive certain grants in aid, and a similar local body on the other side of the boundary have to pay the whole thing out of their local taxation? They desired equal treatment all round. The Government were keeping up, by their own conduct, the idea of separate nationalities. Why should there be what was called a Scottish day? Why should a Scottish Bill not have its chance as it went round in the ordinary way, instead of being relegated to the end of the Session, when a day would be given for Scottish Bills? There was no reason why Scotch Bills should be isolated and treated independently, instead

of having an equal claim with English measures on the attention of Parliament. It was proceedings of that kind which caused attention to be directed to the neglect of Scotch Business. The Local Government Bill would come back to the House from "another place." When it did, he hoped the Chancellor of the Exchequer would yet see his way to treat Scotland more equally with England in the matter of grants. Did the Secretary for Scotland acquiesce in the proposed arrangement? He noticed that the Lord Advocate and the Scotch officials of the Government went into the Lobby in favour of England having four-fifths as against the proportion given to Scotland. He would ask of what use were Ministers for Scotland if they acquiesced in unequal proposals made by the Chancellor of the Exchequer, and went into the Lobby against the majority of Scotch Members?

Mr. A. SUTHERLAND (Sutherland) said, that, in spite of the bland accents of the right hon. and learned Lord Advocate, experience showed that his promises must be received with caution. It was a stretch of charity to speak of the conduct of Scotch affairs. The Government had an Executive function, and they had allowed innocent persons to remain unnecessarily in gaol. If 6,000 letters were received at the Scotch Office in a year, it was only an average of 20 a-day, and letters might easily be multiplied by non-attention to business. The dual arrangement of the Secretary for Scotland and the right hon. and learned Lord Advocate reminded him of another arrangement existing in Japan, where it was supposed to be necessary to divide the community into two parts, one substantial and visible, like the right hon. and learned Lord Advocate, and the other shadowy or unseen, like the Secretary for Scotland. In all the legislation which had been attempted for Scotland that Session, the Government had not attempted anything that was really anxiously desired by the people of Scotland. The little they had done had been of such a nature that they could not give their approval to it; but what they wanted more was such legislation as that for the protection of the small leaseholders who, in his constituency, for instance, were threatened with eviction by the amendment of the Crofters' Act.

Mr. W. P. SINCLAIR (Falkirk, &c.) said, he thought the House would be better employed by going on to the other important Business that was still before them. Everything had been stated that night about Scottish Business generally, and about its neglect. That was needed; but he thought the right hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman) had put the case distinctly, when he said that the enormous increase of Business from all parts of the country was mainly responsible for the present state of Scottish Business, and that that which pressed most heavily was that which had to be taken in the first instance, and he thought the Government had to be congratulated on having this Session applied the principle of devolution to a greater extent than ever before by the appointment of Grand Committees. He trusted that the system might be extended still more in the future, and that for the consideration of Scottish Business a Committee almost as good as a Grand Committee would be appointed. They had had such a Committee that Session, and it had passed a Bill which, if passed into law, would work satisfactorily, and probably solve some questions that had for a long time engaged attention in Scotland. They were also promised that next year they would have a Local Government Bill for Scotland, and he trusted that next Session not only that Bill, but other measures dealing with Scottish affairs would be before them, and that they would have a Scottish Session next year, as they had an Irish Session last year and an English Session this year. It would take out of the purview of the House questions dealing with purely municipal life, and leave county management for the Local Government Bill. That change would be greatly appreciated in Scotland, and he trusted the Government would take it into consideration. He asked the right hon. Gentleman (Mr. W. H. Smith) if, during the Recess, he could not consider whether it would be desirable to alter the Rules of Procedure in this direction, that a list should be made of Bills whose principles had been affirmed one Session, but had failed to pass, and that they should be taken up at that stage in the next Session? He did not know that such a proposal had been previously made, and he hoped the First

Lord of the Treasury would give it his consideration.

MR. HUNTER (Aberdeen, N.) said, that the hon. Member who had just spoken was a Scottish Member; but he was an Irishman by blood, and an Englishman by residence, and he did not believe that it was to such a man that the patriots of Scotland would look for assistance in their present struggle. The House had been favoured with the speeches of two Liberal Unionists; but they were on different sides, as was only natural; for the hon. Member for the St. Rollox Division of Glasgow (Mr. Caldwell) was a Liberal first, and a Unionist afterwards; while the hon. Member for the Partick Division of Lanark (Mr. Craig Sellar) was a Unionist first, and what afterwards he did not like to say. The Lord Advocate had shown his sincerity about pushing on the Burgh Police Bill—a Bill which had never been discussed on the second reading at all—by putting it down for a time again when there should be no discussion upon it—namely, as the second Order of the Day for Wednesday, the first Order being a Bill on which there must be considerable discussion. It was said that the principle of the Scotch Universities Bill was agreed to. He would like to know what its principle was. It was a blank cheque in which he and other Scotch Members had no confidence. There was no doubt that there was a great and growing dissatisfaction in Scotland with the way in which Scottish Business was dealt with in the House; but he would have been quite content to rest the case upon the eloquent and able speech of his hon. Friend (Mr. Wallace), had he not thought that that was an instance in which a Scottish Member would be guilty of a dereliction of duty if he did not associate himself with the hon. Member in the great cause he had taken up. A share of the time of the House had been demanded for Scottish Business; but what was the good of that time, when the Government only used it to defeat, frustrate, and disappoint the desires and expectations of Scottish Members? On the 21st February, almost as soon as the House met, attention was called by the hon. Member for the College Division of Glasgow (Dr. Cameron) to the acute distress in the Highlands, and to the fact that no remedial measure of legislation was promised by the Government; but what happened? 37 Scottish Members went into the Lobby with his hon. Friend, only 11 Scottish Members voted against him; but, notwithstanding that overwhelming majority of Scottish opinion, the Government from that day to now had not so much as lifted a little finger to relieve the distress of the crofters. They had, it was true, a miserable emigration scheme, and 98 families had been exported to Canada. He could not congratulate the Government on the skill with which they carried out the enterprize, and he found that one of the paupers had £80 in his pocket, and another had £60, so that the money which was taken from the taxpayers of this country was not expended on persons judiciously selected, but on the favourites of Tory agents, whether they had money or not. In the House, Scottish Members had tried to do their best on the matter. On the 22nd of February, the Crofters' Holdings (No. 1) Bill was supported by a proportion of 3 to 1 of Scottish Members, but was defeated by the Government; and on the same day the useful and moderate Parochial Boards Bill was supported by Scottish Members in the proportion of 2 to 1, and, of course, rejected by the Government. On the 17th April, they tried their luck once more with the Crofters' Holdings (No. 2) Bill, and 28 Scottish Members voted for and 8 voted against it, including the official Members of the Government, and the Bill was also rejected in the same way as its predecessors. Legislatively and administratively, there was always the same result. If, on the Estimates, the reduction of the Vote for the Secretary for Scotland was defeated by English Members, on the 19th June, on the Ecclesiastical Assessments Motion, which was lost, 29 Scottish Members voted for it, and only 8 against it; and, in the same week, the Disestablishment of the Church of Scotland would have been carried by 38 to 19 Scottish Members had it not been for the votes of English Tories. Then, when the Trawling Bill was considered, a Bill which he (Mr. Hunter) himself introduced, and in which every Scotch fisherman was deeply interested, the Government did not dare to challenge the second reading; but one of their Supporters moved the Adjournment, and that was carried by the Government and their Supporters. If,

therefore, the Lord Advocate had said—"What is the use of occupying the time of the House in discussing Scottish Bills when there is a Tory majority," he would have made a much stronger reply than what he actually did make. When a Tory Government was in power, Scotland got nothing. They could not get figs from thistles, or grapes from thorns, and no more could hon. Gentlemen opposite, consistently with their principles, pass legislation which would be satisfactory to the people of Scotland, for the simple reason that their principles entirely differed from those of the Scottish people. But when the Liberals were in power, were they entirely happy? Then, too many Scottish Members sat on the Government Bench to secure proper attention to Scottish Business, and Liberal Members from Scotland were told that they must not embarrass the Government. So it always came to the same thing in the end, and Scotland got nothing of a serious character. The result was that there were political questions of great magnitute upon which the public opinion of the people of Scotland had long ago been made up, and which were ripe for solution, though public opinion upon them in England might not ripen for another 20 years. There was the Land Question, the Church Question, the Education Question, and the Temperance Question, upon such of which Scotland was ready for legislation. How were they to get that legislative work accomplished? He believed that the time must come soon when the principle of devolution must be applied. At the beginning of the Session, the Scotch Members suggested one system, a devolution of Scotch Business to a great Committee of Scotch Members; but that was rejected. In doing that the House had rejected one kind of devolution, and another plan which they would have to look at before long was the one establishing a Legislative Assembly for Scotland, which would deal not merely with the pressing political questions, but also with the social questions which loomed in the future. Unless a radical change was at once made in the mode of conducting Business in that House, this plan must be considered. He did not complain of the absence of hon. Members from Scotch debates; what he complained of was their presence in Divisions on Scotch subjects. If hon. Members opposite agreed to a self-denying ordinance, by which Scottish Business would be dealt with by Scottish Members only, it was possible that the present system might survive for some years; but his own belief was that there would be in a very short time a demand from Scotland for a measure of Home Rule, not less than that which the House recently denied to Ireland.

MR. W. H. SMITH rose in his place, and claimed to move, "That the Question be now put;" but Mr. Speaker withheld his assent, and declined then to put that Question. There was another hon. Member from Scotland wishing to address the House.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) said, that, as their mouthpiece, he desired to direct the attention of the right hon. and learned Gentleman the Lord Advocate to a question involving the welfare of the miners of Scotland. Last year he had the honour of introducing an 8 hours clause into the Mines Bill; but it failed to pass, and at the request of the miners he introduced a Bill for Scotland this year with the same object. That it was the wish of the Scottish miners that there should be such legislation was evident from the fact that, at the two recent bye-elections in Scotland, the candidates were pressed by the miners on the question, and Members were returned pledged to support such legislation; and he would draw the right hon. and learned Lord Advocate's attention to the fact that some Scottish Conservative Members were also virtually prepared to support the proposal. He would, therefore, ask the right hon. and learned Gentleman, when taking into consideration the fact that it was desired by the great body of their fellow-countrymen whose conditions of life were extremely hard and irksome, he would pledge himself or give some guarantee that during the Autumn Session the House would have a day to discuss this question, which was one vitally affecting the conditions of the daily life and the most hard-working section of the community, and the more especially when it was considered that it did not involve the question of the condition of the miners of England, for whom he could not pretend to speak. He wished to impress most earnestly upon the Lord Advocate,

the fact that the wages of the Scottish miners were falling day by day, and that these men were now in a very much worse position than they were—not in the times of 1872—but 25 years ago

MR. M. J. KENNY (Tyrone, Mid) said, he wished to know when the reorganization of the Paymaster General's Office was likely to be effected? The question had been under consideration for about three years, and it was unfair to the public servants whose interests were concerned that a scheme of reorganization should be hanging over their heads for so long a time.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, that before the proposed scheme could be carried out legislation would be necessary. The fact was, there had not been time that Session to pass a Bill through the House.

MR. W. A. MACDONALD (Queen's Co., Ossory) said, he wished to draw attention to the jury-packing which prevailed at the recent Summer Assizes in Queen's County. Roman Catholic jurors had been ordered to stand aside for no cause shown, but, apparently, merely because they were Roman Catholics, like 88 per cent of the population. He had asked Questions in the House upon the subject, and had received unsatisfactory replies, and he had, in consequence, taken the greatest pains to ascertain the exact facts of the case. At the Assizes in question, the entire special jury panel contained the names of 200 gentlemen, 131 of whom were Protestants, and only 69 Catholics, and in three distinct cases out of five tried by special juries the Roman Catholic jurors were deliberately excluded by the action of the Crown. In one of those cases, a prisoner who was charged with attempting to shoot a man named William Whelehan, was convicted and sentenced to 12 months' imprisonment with hard labour. In another case, transferred from Kerry under the Coercion Act, a youth of about 18 was indicted for attacking and firing into a house. No one was injured and the house was not damaged, and yet the prisoner was convicted, and received the atrocious sentence of seven years' penal servitude. In another case, five young men were charged with attempting to shoot a National schoolmaster; and in this case, the Crown were graciously pleased to allow one Roman Catholic to remain on the jury. Of the five prisoners, four were convicted and sentenced to seven years' penal servitude. There was also a case from Kerry, in which the prisoner was charged with attempting to shoot the daughter of the schoolmaster, and in this case also one Roman Catholic was allowed to be on the jury. The prisoner was convicted, and sentenced to 18 years' penal servitude. Now, it could not be said that the doctrine of chances would account for the small proportion of Roman Catholics on each of these juries. There were special circumstances, indeed, which explained the presence on the jury of the two Catholic jurors in these cases. In the first, the Catholic juror was a Mr. Redmond, who had recently been rejected at an election for the Board of Guardians, but who had thereupon been created a Justice of the Peace by Dublin Castle, so that he mignt be an *ex officio* Guardian. The other Catholic juror was a Mr. Dunne, whose treatment of some of his tenants had some years ago been condemned by Cardinal Moran, when Bishop of Ossory. He, too, had recently been created a Justice of the Peace by Dublin Castle, and therefore could be trusted to do anything that the Castle wanted. It might be asked, whether there were any other special jury cases tried at this Assize? Yes; there was another case, and in this there was no jury-packing; but that was, because the Crown officials knew perfectly well that upon legal grounds the case could not be sustained, and it was not, therefore, worth their while to interfere with the constitution of the jury. This kind of thing had been going on in all parts of Ireland for years, and was regarded as a gross insult by the Catholics. The jurors of the Queen's County were as law-abiding men as any in the Kingdom, and they regarded it as a grave insult that they should not be deemed worthy to be trusted with the trial of Kerry Moonlighters. If this kind of thing was repeated the Catholic jurors of the Queen's County had, he was informed, banded themselves together, determined to stand up, one and all in Court, when ordered to stand by on account of their religion, and respectfully protest against the in-

sult offered their creed. They might be sent to prison for contempt of Court by some unjust Judge; but they were ready to suffer imprisonment, in order that attention might be called to this disgraceful system of jury-packing.

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) said, he could not enter into the facts which the hon. Member had stated regarding the cases to which the hon. Member had referred, for no record of the religious persuasions of jurors was kept. As to the empanelling of the jury panel, that was prepared by the High Sheriff, over whose action the Government had no control. As to the action of the Crown Solicitor in ordering jurors to stand by, that was regulated by one of the rules drawn up by the then Attorney General in 1867, which had been adopted by successive Governments since then, and which provided that the Crown Solicitor should make preliminary inquiries as to the panel, and challenge such jurors as he considered, either through fear or owing to their trade, were not likely to discharge their duty impartially, it might happen that, acting under that rule, the Crown Solicitor might order jurors of one particular religion to stand aside, but their religion was not the ground of his doing so. [*Laughter.*] In the discharge of his duty under that rule, the Crown Solicitor had no right to make any inquiries as to the religious belief of the jurors.

MR. CLANCY (Dublin Co., N.) said, he would gladly make the hon. and learned Gentleman (Mr. Madden) a present of the rule. It was, however, a very curious fact that though no inquiry was made as to the religious tendencies of the jurors the result was always the same—namely, that all the Catholics were ordered to stand aside, and the majority of jurors in these cases were Protestants. The broad fact remained that jury-packing was carried on, and that objections were taken to jurors on account of their religious belief. However, he did not rise for the purpose of discussing that question. He desired to ask the Chief Secretary a question with regard to the case of Kennedy, the lunatic. He wished to know whether the right hon. Gentleman had made any further inquiries into the condition of that poor man with a view to his removal to an asylum? He also wished to ask him whether Mr. Latchford, for whom in the right hon. Gentleman's opinion there was not a ghost of a case for relief on Friday night last, had been released that day from prison on the order of the Court of Exchequer on the ground that his conviction was wrongful and illegal? The case shed a flood of light on the proceedings under the Coercion Act, for it was a case in which the magistrate refused either to increase the sentence to enable the prisoner to appeal, or to state a case, yet the Court of Exchequer at once found a point on which to release Mr. Latchford. He also wished to know whether the right hon. Gentleman would still defend his favourite, Cecil Roche? The last case he wished to refer to was that at Miltown Malbay. He referred to the case because he understood that one of the prisoners, Joseph O'Brien, was released on Saturday by order of the prison authorities, on the ground that he was too ill to be kept in prison. It was too probable that Joseph O'Brien had been sent forth to die; but the other men had still a month's imprisonment to undergo. He begged the right hon. Gentleman to bring his mind to bear on this case. The evidence against Joseph O'Brien was simply that he personally refused to supply a woman named Hannah Connell with a pound of sugar and an ounce of tea, and that he made the remark that she had never called at his shop before. This woman could have got what she wanted elsewhere; but she chose to call at the houses of these four men who were charged with conspiracy to induce others not to deal. There might possibly have been evidence of a conspiracy not to deal, but to convict of conspiracy to induce others not to deal, a great deal more would have to be established than a mere refusal to supply people. He had with him a copy of the depositions, and he declared on his honour that, having read them through, he could not find a particle of evidence to support the charge on which these men were convicted; yet they received the atrocious sentence of three months' hard labour, and on appeal to the County Court Judge that sentence was actually doubled. In their private capacity not a shadow of suspicion rested on these men. They were as respectable as any man in that House. [An

hon. MEMBER: A good deal more.] He contended that there was not a particle of evidence to support the particular charge of conspiracy to induce others not to deal. He admitted, however, that there might be evidence of a conspiracy not to deal, an offence which was not punishable under the Coercion Act. The hon. and learned Solicitor General for Ireland said there was additional evidence given on appeal, but that in regard to the first hearing of the case certain pieces of evidence were left out of the depositions. What did that mean? The inference was that the magistrates left out of the depositions the most important part of the evidence. He invited the Chief Secretary to point out the evidence given on the first hearing bearing out the charge on which those persons were convicted. The only evidence given on appeal was to the effect that the people of Miltown Malbay refused to fish with Hannah Connell and her son, and that hawkers refused to buy fish from her. To assert that people were not at liberty to refuse, if they chose, to do either of those things was ridiculous. He had studied the matter, and as far as he had seen the depositions, he asserted that there was not a particle of evidence in any of the cases dealing with the particular charge of conspiracy on which the prisoners were convicted. If the facts of the case were known, there was not even a Tory platform where the audience would not give a verdict in their favour. Those cases constituted the very gravest scandals to be detected in connection with the administration of the Coercion Act in Ireland. They proved that if there was any conspiracy at all it was a conspiracy not only against the liberties but the lives of honest people, such as the unfortunate Miltown Malbay prisoners and the victims of a dozen other similar prosecutions, on the part of the landlords and the tools of the Goverment in Ireland. The Irish people were expected to respect the law and to bow down and worship the Chief Secretary and his satellites. In his (Mr. Clancy's) opinion the Irish people would not be fit for freedom if they did not despise and hate both.

MR. NOLAN (Louth, N.)——

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. NOLAN, resuming, said, he wished to call attention to the conduct of the military and police on the day of the trial of the hon. Member for East Mayo (Mr. Dillon) in Dundalk, though the Chief Secretary, in answer to a Question which he put to the right hon. Gentleman, said that no harm had been done by the military and police on that occasion. That reply gave great surprise to the people of Dundalk. A full list of the men, women, and children injured was being prepared, and in due course would be brought under the notice of the Chief Secretary. Meanwhile, he (Mr. Nolan) wished to draw attention to some of the most brutal of the cases of injury. In one case an old man named Duffy anxious to hear the trial went to the Court House early in the morning, but was pushed by a policeman who, on the old man laying hold of the railing, brought down his bâton on the man's hand with a squashing blow, completely disabling it. A young man named Hughes was struck down senseless by a blow on the head with a baton while standing at his own door. Mr. Maxwell, who had been three times Chairman of the Town Commissioners, while endeavouring to act as peacemaker, received for his pains a thrust from a rifle, and he had since been spitting blood. A respectable woman also had her arm broken against a doorway by the force with which a policeman threw her, and a blacksmith was lying in hospital from a sabre cut in the head. He would leave it to the Chief Secretary to reconcile these facts with the statement he had made that none of the people were injured on the occasion in question. Since these occurrences the police had tried to establish a reign of terror by wholesale prosecutions on bogus charges before Removable Magistrates.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) said, that, while the House was engaged voting money for the government of Ireland, while his hon. Friend was bringing under the notice of the House in the person of District Inspector Supple, a specimen of the rowdy swashbuckler, entrusted with the public peace of Ireland, the right hon. Gentleman the Chief Secretary thought it decent and consistent with his duty to be absent from the House. What did the Go-

vernment mean to do in the case of Mr. Latchford, That gentleman, a Justice of the Peace, concerned himself in a Memorial to the Government, the object of which was to obtain the removal of Mr. Cecil Roche, R.M., from Tralee. Some scuffle having occurred between Mr. Latchford and another magistrate, a charge, not of riot, but of assault, was brought against him, and he was sent to be tried before Mr. Cecil Roche, his private enemy. He was sentenced to a month's imprisonment for the alleged riot. To-day, when Mr. Latchford had been nearly a month in prison, the Lord Chief Baron and his Colleagues had found that there was no evidence of riot. [Mr. MADDEN dissented.] At all events, the Court of Appeal found that Mr. Latchford ought never to have been sent to prison at all. Under those circumstances, he (Mr. Sexton) wished to know what reparation the Government intended to make to Mr. Latchford for the insult they had put upon him and the outrage they had done him? In the same way it appeared that the Miltown Malbay prisoners had been unjustly convicted. And he wished further to know what course was to be taken with them? They had been sent to prison on a charge of conspiracy to compel people not to deal with others. The Lord Chief Baron and his Colleagues had laid down that in order to support a charge of conspiracy under the Coercion Act not to deal with a person, it was necessary to prove that the parties charged had exercised compulsion upon the will of others. They had held that a mere conspiracy not to deal was not an offence under the Coercion Act, and that it was not an offence at Common Law, unless a conspiracy to injure could be proved. He thought the hon. and learned Solicitor General for Ireland would not now deny that not a syllable of evidence was produced before the magistrates in support of the charge on which they were convicted, in view of the judgment given by the Court of Appeal in the Killeagh case. One of the Miltown Malbay prisoners had been released because he was dying. How long were the other men to be kept in prison? If the Government had the least respect for the Court of Exchequer in Ireland, they were bound to release the prisoners after the judgment that had recently been delivered. He wished next to bring to the attention of the Chief Secretary certain facts which had come to his knowledge within the last few hours. They related to the prison treatment of Father M'Fadden, of Gweedore. Never had any man a more painful charge than Father M'Fadden in the district of Gweedore, and never had any man more nobly acquitted himself. He (Mr. Sexton) enjoyed the honour of the friendship of Father M'Fadden. He was the most gentle, amiable, and unselfish of men—a man who in any other country but Ireland would have been respected by the Government as he was honoured by the people. For standing by his flock Father M'Fadden had been sentenced to six months' imprisonment as a first-class misdemeanant. The Chief Secretary, with characteristic chivalry, then attacked him. In self-defence the rev. gentleman sent a reply to the newspapers, and immediately after the publication of his letter, the right hon. Gentleman sent a Prison Inspector to the prison at Derry to hold a kind of Star Chamber inquiry. Father M'Fadden asked to be allowed to be present at the inquiry which so closely concerned him, so that he might hear the charge and give evidence, but his appeal was refused. After the inquiry he was locked in a corridor, the key of the gate being given to a warder who was forbidden to speak to him. For exercise he was ushered into a narrow courtyard, about 12 feet broad, shut in at one end by the boundary wall, 32 feet high, and at the other by a gable end. When Father M'Fadden first saw this place, he told the warder that first-class misdemeanance was a farce, that the right hon. Gentleman (Mr. Balfour) would not put his dog to exercise in such a place, that for the maintenance of principle and for the good of the community he would protest against this, and that if a better place for exercise could not be found for him he would remain in his cell. The right hon. Gentleman (Mr. Balfour) was not as courageous as he was malignant, and in the presence of that threat he did not ask Father M'Fadden to exercise in that place. Before this inquiry, Father M'Fadden, as a first-class misdemeanant, had been allowed to write letters, but since the inquiry had taken place, Father M'Fadden had been refused the right, not only of sending a letter to the Press, but of sending any letter what-

ever. His window (which was his sole means of ventilation, and which he was formerly allowed to open) was now locked up, and, as the glass was frosted, Father M'Fadden was now left from the break of day to the coming of darkness to look at nothing but the four white walls of his cell—an experience which had deprived many a man of his sight, and might deprive a prisoner of his reason. He was not surprised to hear that Father M'Fadden had grown grey under this treatment. He desired to know whether Father M'Fadden, who had been sentenced as a first-class misdemeanant, would continue to be deprived of privileges to which, as such, he was entitled? Finally, he (Mr. Sexton) wished to draw attention to a letter that had appeared in one of that morning's papers written by the hon. Member for East Cork (Mr. Lane), in which the hon. Gentleman gave an account of some of his experiences in Tullamore Gaol under the care of Dr. Ridley. He (Mr. Sexton) had seen his hon. Friend, who absolutely confirmed every statement in that letter. His hon. Friend was confined in Tullamore, and was under the care of Dr. Ridley. In his letter he said —

"At that time I was very ill, but would not admit it, as I wanted to force my right to private exercise as a political prisoner. Dr. Ridley begged of me several times to go into the hospital, 'because,' said he, 'if you don't they will starve you to death here.'"

The letter continued—

"When Dr. Ridley saw me sinking so rapidly, he said he could not give exercise, but he would give me food. On the following days he brought me some roast fowl, and on Friday he brought me three poached eggs 'to keep the life in you,' as he said himself. Finally, when I became so prostrate that I could not rise off the flags, he said, 'I must either defy the Prisons Board or have an inquest on you, and as I don't want a verdict against me for killing you I will give you exercise in spite of them.'"

His (Mr. Sexton's) hon. Friend (Mr. Lane) took exercise that day and on the following day. He said—

"In the forenoon of the second day Dr. Ridley came into my cell in a most excited state. He said he had 'got a terrible reprimand from Dublin' for allowing me out to exercise, that he 'had orders to certify that I was fit for punishment,' that the Resident Magistrate was to be brought in, and I was to be put in the punishment dungeon, which would certainly kill me in the condition I was then, and he asked me to go into hospital 'as the only way to escape them.' He gave me 10 minutes to think it over, and went to Alderman Hooper's cell. When he returned he said he had told Alderman Hooper the whole story, and that the latter strongly urged me to conform to his (Dr. Ridley's) wishes. He brought me a password from Alderman Hooper to convince me that he had sent the message. I then consented to go into hospital."

The letter continued—

"When I was leaving the prison I asked him how I could repay all his kindness. He said I could do so 'by letting the public know he was not the inhuman wretch the prison rules made him appear;' but he warned me not to say a word that would let the Prisons Board know that he was kind to any of us political prisoners. He told me he was in perpetual conflict with the Prisons Board about the political prisoners since he refused to be present at the forcible stripping of Mr. O'Brien, which he reported would imperil his life."

The hon. Member (Mr. Lane) concluded his letter by stating that he knew Dr. Ridley to be a most sensitive and kind-hearted man, and that he appeared to be disgusted with the brutal discipline he had to administer, and that he had no doubt he committed self destruction at the shame of having allowed himself to be bullied into the punishment of John Mandeville. Mr. Mandeville was dead and Dr. Ridley was dead. He (Mr. Sexton) charged upon the Chief Secretary the direct responsibility for the former, and for the latter's self-inflicted end. The question raised by the letter would have to be tested, and without pressing further the facts of this case, he simply asked the Chief Secretary whether he would lay upon the Table all the instructions and communications issued to Dr. Ridley by the Prisons Board while Mr. Mandeville and the other political prisoners were under his care; and, also, whether he would furnish them with written notes of the verbal communications on this subject made by the right hon. Gentleman or his subordinates to Dr. Ridley, so as to enable the House to judge for themselves the measure of the right hon. Gentleman's responsibility?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): I shall proceed to reply to the questions which have been put to me as briefly and with as little of the controversial spirit as possible. The hon. Member for North Dublin (Mr. Clancy) referred to a speech made on Friday last by one of his Friends, in reference to a man who became insane whilst in prison. I promised to make inquiries in the

matter, and I did so at the earliest possible moment; but I have not yet received a reply, and therefore I cannot give any further information on this subject. The hon. Member for West Belfast (Mr. Sexton), who has just sat down, stated that the Court of Exchequer had quashed the verdict in the case of Mr. Latchford, who was prosecuted for riot, on the ground that there was no evidence of riot; but that statement is wholly inaccurate. The Court of Exchequer never dealt with evidence in the case at all. It is true that they had ordered Mr. Latchford's release. ["Hear, hear!"] Yes, but they did so simply on the ground that there had been a technical error in the order of imprisonment. There was no question of law on the merits of the case involved, but a pure technicality. The next question was with reference to the Miltown Malbay case, which was tried, not before a Resident Magistrate at all, but before a County Court Judge. The case has been heard twice over, and, on each occasion, the Court decided that there was evidence for committal. It is perfectly useless to attempt to discuss the legal evidence in a case before a Committee of the House of Commons. It cannot be done. Nothing can be gained in the cause of justice, or in any other cause, by trying before a tribunal which is not judicial, a case which has already been tried before a tribunal which is judicial. I am surprised that hon. Gentlemen opposite should have chosen that case as one upon which they wish to try the question of Boycotting; for a more shocking case it is impossible to conceive —this poor unhappy woman, kept three days without food by an illegal and iniquitous conspiracy. Nothing more horrible has come to light in the annals of Irish political strife. The hon. Member for West Belfast has given a graphic account of what he calls the treatment of Father M'Fadden in prison. He has informed the Committee that I have sent down emissaries from Dublin Castle, that I have held a Star Chamber inquiry at the prison, and that I have condemned Father M'Fadden to treatment which, apparently in the opinion of the hon. Member, would not have been inflicted upon an ordinary prisoner. Well, to all that, I give the most absolute contradiction. I have sent no emissary. I have not held any Star Chamber inquiry. I have not ordered any special prison treatment. In fact, I am absolutely ignorant of all that the hon. Member has been talking about; and I must say, in addition, that I receive with the most absolute scepticism the whole story which has been brought before us in such detail.

MR. SEXTON: They have appeared in the Press.

MR. A. J. BALFOUR said, if the hon. Gentleman had no better means of information than the Irish Press, it would account for their not being able to agree on this point. The hon. Member concluded by calling your attention to a letter from the hon. Member for East Cork (Mr. Lane), of which I have heard, but which I have not read, with regard to his treatment in Tullamore Gaol and his conversation with Dr. Ridley. I think it would have been well if these things had been said in Dr. Ridley's lifetime.

MR. SEXTON: Yes; then you could have dismissed him.

MR. A. J. BALFOUR: And if it had not been said in Dr. Ridley's lifetime, it would have been well if, instead of being written in a letter to *The Daily News*, it had been given in evidence on oath before the Coroner's jury, so that it might have been cross-examined upon. All I can say is, having regard to Parliamentary usage, that, in my opinion, nothing can be more certain than that the hon. Member for East Cork is labouring under some delusion. He says that Dr. Ridley was told to treat political prisoners with exceptional severity. That is absolutely false. He tells a story of Dr. Ridley bringing into his cell, surreptitiously, poached eggs and chicken. Well, I do not know much of prison discipline; but I presume there is a sufficient amount of surveillance to prevent such a thing being done without somebody having cognizance of it. But however that may be, I state in the most positive manner, on my responsibility as a Minister of the Crown, that the one regulation which I have laid down, and which I insist upon being carried out, is this, that every prisoner should be treated exactly alike, without any distinction as to whether he is a political prisoner or not. A political prisoner, according to my orders, is not to be treated any better or any worse than any other prisoner, and he has not

been treated any better or worse, so far as I have any control. The hon. Member now takes an extraordinary interest in the prison rules, and characterizes them as inhuman. It is also said that Dr. Ridley stated that he would regard himself as an inhuman wretch if he carried out the prison rules. Who made the prison rules? Was it I? The prison rules in force in Ireland at this moment are the result of a Royal Commission appointed, I think, in the year 1880 or the year 1881, which reported in the year 1884. The Ministry in power when that Commission reported were the Friends of hon. Gentlemen opposite, and, as a matter of fact, the particular right hon. Gentleman then Chief Secretary for Ireland, whom I now see before me (Mr. John Morley), was asked a Question in that House about the new prison rules, and he stated in that House that he had carried out in detail the recommendations, or most of the recommendations, of the Royal Commission. The prison rules now in force are not my prison rules. They are the prison rules that were in force before the last Liberal Administration. They are the prison rules advised and recommended by a Royal Commission, and advocated and carried out by a Liberal Chief Secretary.

MR. SEXTON said, the leading point of the hon. Member's charge was, that the political prisoners under punishment—[*Cries of* "Order!"]—that political prisoners under punishment were deprived of the two hours' daily exercise recommended by the Commission.

MR. A. J. BALFOUR: I have two observations to make on the interruption of the hon. Gentleman. The first is, that the prison rules in force were advocated by the right hon. Gentleman opposite. The second is, that the right hon. Gentleman opposite and his Friends and Predecessors in Office refused, as absolutely as I have refused, to recognize any such class in existence as political prisoners. That disposes, as I think, pretty completely of the interruption the hon. Gentleman was good enough to make. Those rules, passed by Parliament and suggested by the right hon. Gentleman opposite, are those now in force in Irish prisons; and how do they differ from the rules now in force in English prisons? They differ in one respect only—that they are more lenient and more in favour of the prisoner. We have heard a great deal of the food in Irish prisons. We have been told that Irish prisoners have been starved. We have also been told that in the matter of nourishment the Irish prison rules are inhuman. Is it the opinion of hon. Gentlemen opposite that these rules are inhuman? If so, why did not they discover it earlier, at a time when they had no concern one way or another with them, and not now, when they are interested, and want to make political capital out of them? If the Irish prison rules are inhuman, the English prison rules are doubly inhuman, because they afford a less generous diet to prisoners than the Irish rules. I say, with absolute confidence, that if our prison rules require remodelling, in order to make them less harsh, the first prison rules that ought to be remodelled are the English prison rules; and if the prison rules of the United Kingdom require remodelling, I confess I should have thought better of those philanthropists who urge an alteration, if they had urged it at a time when they did not think they could make political capital out of that contention. Hon. Members opposite say the prison rules are inhuman. They have been laid before Parliament; they have been approved by hon. Gentlemen opposite. [Several Home Rule MEMBERS: Never.] Well, they were before the House, and if they were not approved, you raised no objection to them. They have not been objected to before Parliament; they have been advocated by a Royal Commission, and passed by a Liberal Chief Secretary, and I say, in those circumstances, if any alteration is required, let hon. Gentlemen not ask me to make a special alteration in one country with regard to one class of prisoners. Let them demand an inquiry into the whole system of prison discipline in England, in Scotland, and in Ireland, with regard to every prisoner, be he who he may, and be the fault for which he is imprisoned what it may. I will not oppose them if they do; but never will I consent to draw a distinction between one class of offenders against the law and another class in the one and the same country. Neither will I be intimidated by the species of calumny to which the hon. Gentlemen opposite have given utterance this night, into modifying the

treatment to be given to Irish prisoners who may be friends of hon. Gentlemen opposite, while I leave unaltered the treatment to be given to other offenders against the law in this country, in Scotland, and in England. I have, I think, dealt now with all the questions raised. I have nothing further to add, and I hope the House will soon consent to the Vote on Account.

MR. JOHN MORLEY (Newcastle-upon-Tyne): I do not propose to make any remarks at this stage on what has fallen from the Chief Secretary on prison discipline. I will only say that he himself has admitted, with a nonchalance rather surprising, that he did not pretend to be versed in the prison rules. I should have thought that a Minister now in the position of the Chief Secretary, whose business or misfortune it has been to put into prison so many of his Parliamentary Colleagues, knowing that the subject of prison treatment would be brought before the House, would have made himself acquainted with prison discipline. The right hon. Gentleman and the House must not forget that the prisoners of whose treatment the hon. Members from Ireland are now complaining, though undoubtedly they have been adjudged to be offenders against the law, are for the most part in prison under an exceptional law.

MR. A. J. BALFOUR: It is exactly the same law that prevailed under Lord Spencer's Administration.

MR. JOHN MORLEY: I have nothing to do with Lord Spencer's Government. [*Ironical Ministerial cheers.*] I cannot understand why right hon. Gentlemen opposite should be so elated with that declaration. I had nothing to do with the administration of the Coercion Act of Lord Spencer, and I spoke against the Coercion Act of Mr. Forster's time in season and out of season; and when it was proposed to renew some of the clauses of the Crimes Act of 1882, I, sitting below the Gangway, gave Notice of an Amendment resisting the reimposition of those clauses. Therefore it seems to me, under those circumstances, that the cheers of hon. Members opposite are singularly misplaced. Those Gentlemen who are now in prison, and of whose treatment in prison we complain, are there under an exceptional law—a law which does not exist in England or Scotland, and which was passed last year, and the right hon. Gentleman speaks of English and Scottish prisoners as if they were precisely on a level with the Gentlemen in prison under the Coercion Act. [Mr. A. J. BALFOUR: Hear, hear!] No, they are not. Why, Sir, Mr. Dillon would not be in prison at all in their opinion, if he had been able to appeal to a jury, which he would have had if the hon. Member had made the speech in England or Scotland, and which he had a right to at the time that he made that speech in Ireland. The right hon. Gentleman must really admit with his logical mind that that condition makes all the difference in their attitude towards the treatment of these prisoners; and I think the right hon. Gentleman could not employ his recess more advantageously than by inquiring into some of the details of that prison discipline as to which he avows his complete ignorance. Now, I want to say a word or two with regard to what fell from the Chief Secretary in regard to Mr. Latchford. I should think that the Chief Secretary must feel a little uncomfortable—[A Parnellite MEMBER: Oh, dear no!]—when he reflects upon what he said on Friday, and then considers the judgment of the Court of Exchequer to-day. I have not seen a printed or written report containing the terms of the judgment, and I am willing to believe that the decision of the Court of Exchequer has turned entirely upon a technical error in the form of committal. What do I care about that? Is it not the fact that Mr. Latchford has suffered one month's imprisonment, less two days, wrongfully? I ask the Chief Secretary to answer this question. Can it be denied that Mr. Latchford has suffered nearly the whole of what is now proved to have been, whether on a technical point or not, a wrongful committal? It cannot be denied. Then the Chief Secretary says that Mr. Latchford's counsel, when before Mr. Roche, did not raise this point of law upon which the form of committal has been criticized. I do not know whether the right hon. Gentleman has had access to some more minute report of what took place before Mr. Roche; but I have read all the reports in the local newspapers and in *The Freeman's Journal*, and I say that Mr. Latchford's counsel was not allowed to

raise a point upon which a case could be stated, because Mr. Roche said arbitrarily, as is his fashion, that no point of law had arisen on which a case could be stated. That, however, is not the opinion of the Court of Exchequer; and, in fact, Mr. Roche gave no chance to the counsel to raise such a point. It would be useless, in the absence of documents and of what took place before the Court of Exchequer this day, to go further into the case; but I repeat that it is certain that Mr. Latchford has nearly undergone a month's wrongful imprisonment. I have one other observation to make before I sit down, and that is with regard to the character which hon. Gentlemen below the Gangway give to the right hon. Gentleman—that he is tyrannical and despotic. I am not sure of that. I am not at all sure that the right hon. Gentleman is not the opposite of a tyrant and a despot. His position is that of a Minister who, from his policy, is compelled, in every case, right or wrong, to back up his subordinates. Is it to be supposed that in the administration of this Coercion Act, which has been in force just a year—as we may suppose from the line he has uniformly taken—that there has not been a single error of judgment, not a single indiscretion, not a single miscarriage of justice perpetrated by a Divisional Magistrate, Resident Magistrate, Inspector, or Head Constable? If we are to trust to the Chief Secretary not one of those officers has made a single mistake. The Chief Secretary is right. His policy can only be carried out on condition that he supports his subordinates through thick and thin, through right and wrong. That is the misfortune of his position. The fact is, he has never admitted that the humblest subordinate has been guilty of any indiscretion, and as soon as I hear the Chief Secretary admit that on a single occasion, however minute or trifling, one of his subordinates, however humble, has been guilty of an indiscretion, however unimportant, then I will believe that the right hon. Gentleman is the master and not the servant of his own agents. The right hon. Gentleman says that the House of Commons is the last place in which judicial and police administration can be properly criticized.

MR. A. J. BALFOUR: Not police, but judicial matters.

MR. T. P. O'CONNOR (Liverpool, Scotland): They are the same in Ireland.

MR. JOHN MORLEY: Well, I say that we are in a position to consider judicial questions in this House. There is not a case in which the Chief Secretary has admitted that any of these men has made a mistake. It must, indeed, be allowed that many mistakes have been committed; but how can we get the people of Ireland to respect the law or its administration when we know that the Minister of the Crown who represents the Irish Government in this House, supported by a majority, is unable to face the truth or to admit the truth? Mr. Latchford's case illustrates that among many things, and I hope, after the decision in this case, that the right hon. Gentleman will instruct Colonel Turner and others who are nominally his subordinates not to write letters to the newspapers accusing Members of Parliament and others of gross mis-statements, when every statement that I, at least, have made is absolutely borne out by everything that has come to light since. I have the honour of knowing Colonel Turner. I am willing to believe that that gentleman is an excellent military officer; but Colonel Turner, deciding in situations that require a judicial or a legal frame of mind, is just as competent to do that as I am to direct the evolutions of Her Majesty's Fleet in Bantry Bay. He is entirely incompetent to deal with those minute points which arise in such circumstances. It is one of the deplorable features in the present administration of Ireland that a man like Colonel Turner, whose excellence in his own proper sphere of life I am not prepared to deny, should have these important points to settle, and that the Chief Secretary is compelled to back him up. The result, for which we are responsible, is that Mr. Latchford, among many others, has endured what is now proved to be a wrong and unjust punishment.

MR. HOOPER (Cork, S.E.) said, the right hon. Gentleman the Chief Secretary had insinuated that his hon. Colleague the Member for East Cork (Mr. Lane) had written a letter to the newspapers which apparently he would shrink from substantiating in a Court of Justice. He (Mr. Hooper) could state that his hon. Colleague was ready to appear

before the Coroner's Court and to substantiate every word he had written. When he (Mr. Hooper) himself was in gaol Dr. Ridley came to him on the morning referred to, and said to him that he was in a state of great trouble and distress, and had got into a serious conflict with the Prisons Board. It was stated that the Board had written to Dr. Ridley saying that he had no power to give his Colleague—who had been three weeks in a cell—outdoor exercise in the circumstances, and that unless his Colleague went to the hospital he would be in a very serious difficulty. Dr. Ridley appealed to him to give his advice in that direction. He told Dr. Ridley there was a great principle involved, that a doctor should be prevented, within his discretion, from ordering the exercise he thought fit for a prisoner under his charge. He was placed in the position of having either to forego a great principle or sacrifice the life of his Friend, who was editor of his paper while the right hon. Gentleman put him (Mr. Hooper) in gaol. The right hon. Gentleman spoke of the prisoners and of the food they got in Ireland; indeed, the right hon. Gentleman scoffed at the idea of political prisoners. He himself was prosecuted for publishing in his paper a report which was as legal up to three months before as anything that ever appeared in any English newspaper. He was tried on 13 different charges; he was convicted on two of them and sentenced on each; and the right hon. Gentleman did not give him a chance of appealing to a higher Court. He was sent to prison, and what treatment did he get from the right hon. Gentleman's subordinates in gaol? He was stripped of his clothes by force, required to take exercise with two criminals, both of whom had stabbed a man and one of whom had killed his victim, and required also to eat prison food and clean out his cell. He did clean out his cell, and he was ordered bread and water from that unfortunate man who was now dead (Dr. Ridley), and towards whom he entertained not the slightest animosity, for he regarded him as the victim of the right hon. Gentleman the Chief Secretary. He got five days' bread and water under Dr. Ridley's direction. He was sent to hospital, where he remained for 11 days, and on his return he was two days afterwards put on bread and water for two days more. If the right hon. Gentleman did not consider his case a political one, he did not know what case under the Crimes Act, or any other Act, could possible be a political case. But, passing from the digression, Dr. Ridley told him, in the exact words which his hon. Friend (Mr. Lane) mentioned, that he had got into serious trouble with the Prisons Board, and asked him to advise his hon. Friends to go to the hospital; and he decided, both on account of his hon. Friend's wife and children, and also on account of his very haggard and changed condition, to do so. His hon. Friend's appearance was greatly altered; he was wan, and had aged 10 years. He would not have known him in the streets in his ordinary clothes. He was now exceedingly glad that he had done so, for he believed that if his hon. Friend had been subjected for the remainder of his term to that injurious system he never would have come out of Tullamore Gaol alive. The right hon. Gentleman scoffed at the idea of his Friends being clandestinely supplied with any articles of nourishing food by the doctor; but was the right hon. Gentleman so ignorant of prison discipline as to suppose that they searched the doctors when they went into the Irish gaols? Perhaps, however, that would be the next new order which the right hon. Gentleman would issue. But would the right hon. Gentleman be astonished to hear that, while Dr. Ridley was openly carrying out the orders of the Prisons Board in his (Mr. Hooper's) case, he clandestinely offered him brandy? Seeing the effects which confinement had on him, Dr. Ridley came to him, and said—"Now, Mr. Hooper, is there nothing I can do for you? Supposing I brought you up some brandy, would you take it?" Well, that was a sore temptation to a man in his position; but he said—"No, Dr. Ridley; if I took the brandy and the smell were to be found in my cell by some other official it is not you who would be suspected, but some unfortunate warder, whose own living and that of his family depended on his retaining his situation." Would the right hon. Gentleman be astonished to hear that while Dr. Ridley was carrying out

his orders he told him that there was not a man in that community, whatever his religion or his politics, who approved of the treatment that was given? At that same moment there was another Colleague of his in another part of the establishment—the ex-Lord Mayor of Dublin (Mr. T. D. Sullivan), who was in there exactly for the same offence as his, and who was treated as a first-class misdemeanant, getting his own food, wearing his own clothes, receiving newspapers, allowed to read his letters, and to take exercise for two hours by himself. What was the cause for that difference of treatment? It was not that his offence was more heinous than that of the hon. Gentleman the ex-Lord Mayor of Dublin. It was that he himself was tried by two of the right hon. Gentleman's Removables, while the hon. Gentleman the ex-Lord Mayor was tried by a magistrate as independent of the right hon. Gentleman as the Chief Baron of the Exchequer. He had not the slightest animosity against the right hon. Gentleman; the only feeling he had was one of regret that a man of his influence and abilities should descend to such a contemptible policy. He himself had been put in gaol for only doing the very acts which he was doing to-day, and he was quite willing that the right hon. Gentleman should come on again. If he had not, unfortunately, had a better constitution and a more cheerful disposition than others, the shocking treatment he had received in gaol would have made more serious inroads on his health; but he could state that there was nothing which his hon. Friend (Mr. Lane) had said in regard to Dr. Ridley but was perfectly true, and he could vouch for it on oath.

MR. ILLINGWORTH (Bradford, W.) said, he was pained to the last degree that the right hon. Gentleman the Chief Secretary for Ireland should have made such reflections upon the utterances of an hon. Member of that House by saying that that hon. Member had not made his statement upon oath.

MR. A. J. BALFOUR said, he was reluctant to interrupt the hon. Member, but that was not the point of his objection. The point was not the question of oath, but of cross-examination.

MR. ILLINGWORTH said, that his observations were thoroughly to the point. He objected to the reflection that the word of any Member of that House was not as good as that of the right hon. Gentleman. From his knowledge of the hon. Member for East Cork (Mr. Lane) in that House, and from the friendship he had shown him in Ireland, there was no Member of that House whose word was entitled to higher respect; and it ill became the right hon. Gentleman to discredit him. It was in the highest degree shameful, brutal, and infamous that the political prisoners should be treated in the same way as the villest criminals in the country. The right hon. Gentleman the Chief Secretary might be personally humane, he might desire to do nothing irregular or harsh; but he showed a want of consideration which was extremely painful. The right hon. Gentleman and his Colleagues were heaping upon themselves in one case after another such a record as must, in the long run, sink them to the lowest possible condition in the estimation of their fellow-countrymen as administrators.

MR. JOHNSON (Belfast, S.) rose in his place, and claimed to move, "That the Question be now put;" but Mr. Speaker withheld his assent, and declined then to put that Question.

MR. T. P. O'CONNOR (Liverpool, Scotland) said, that he had often witnessed fierce conflicts with Chief Secretaries for Ireland; but former Chief Secretaries had exhibited decency and gravity of demeanour, which compared favourably with the levity and flippancy, the spirit of taunt and insult, now exhibited. While the hon. Member for South East Cork (Mr. Hooper) described the prison treatment which had partially destroyed his sight, his voice was almost drowned by conversation that seemed to be intentionally loud on the Treasury Bench in which the right hon. Gentleman the Chief Secretary and the right hon. Gentleman the Chancellor of the Exchequer engaged. He protested against such conduct as degrading this Assembly. The right hon. Gentleman the Chief Secretary calmly argued as if the letter of the hon. Member for East Cork (Mr. Lane) must be mendacious. The right hon. Gentleman taunted them with a new-born interest in prison rules, when it was notorious that the hon. Member for the City of Cork (Mr. Parnell) had with great difficulty secured the partial amendment of the rules by

a Liberal Government—a task in which they were not assisted by the Conservatives, whose alliance did not extend to any interference with coercion. The right hon. Gentleman had professed ignorance of prison rules. If that was so the right hon. Gentleman was the only man in the House—with, perhaps, the single exception of the right hon. Gentleman the Chancellor of the Exchequer—who would be capable of imprisoning 19 or 20 of his Parliamentary Colleagues, and then coming down to the House with a nonchalant air and declaring that he had very little knowledge of prison rules. Was it really astonishing that Irish Members should take an interest in the subject, with 19 or 20 of their Colleagues subject to those rules? The right hon. Gentleman the Chief Secretary's ignorance of the prison rules was all assumed, for he could know all about them and alter them in the case of a priest. There was no relevancy in the comparison with England, because men like Dillon were not imprisoned in England for political offences, and because the rules were interpreted in a barbarous spirit in Ireland. They would some day bring home to the right hon. Gentleman direct responsibility for all this torture he had inflicted in Ireland. Every official in Irish prisons lived in feared and trembling lest he should be dismissed for not being brutal enough. It was asked why his hon. Friend had not stated, what he had stated to-night, during the life of Dr. Ridley? He could not, for dismissal would have been the fate of Dr. Ridley if it had been known that he had shown consideration to an imprisoned Member. If the warders tried to make life more human they were dismissed by this high-minded Chief Secretary, who did not consider even such poor men too low a game. The story of Tullamore Gaol was gradually being unfolded, and would be soon better known, though the right hon. Gentleman the Chief Secretary would probably deprive the House of the opportunity of discussing it in its entirety. He had promised the shorthand writers' notes in the Mandeville inquest, but the notes would probably be delayed till the time had gone past for proper and adequate discussion, for when the right hon. Gentleman promised a Return, he was prepared to find it kept back until a space of time had elapsed sufficient to make the revelations less poignant to the public imagination. He was informed by his hon. Friend who had taken an honourable part in the inquiry that the shorthand writers' notes were transcribed from day to day. The right hon. Gentleman seemed self-complacent to night; that was a virtue upon which he was to be congratulated but he (Mr. T. P. O'Connor) had seen men in his position overthrown, and he would yet see the right hon. Gentleman; overthrown also. The public opinion of this country was getting disgusted with the proceedings of the right hon. Gentleman. The public opinion which had been defrauded into electing Gentlemen opposite as Members of that House was getting informed as to the proceedings and as to the real nature of the right hon. Gentleman's policy. The day would come when the people of this country would ask themselves what was the difference between torturing a man by the thumbscrew and the rack, and torturing him by starvation, confinement, and sufferings which led to his early death. He expected to live to see the day when the country would pronounce its verdict and the brutalities practised by the right hon. Gentleman in the prisons in Ireland would be remembered against him and hon. Members opposite as an ignoble and shameful chapter in the history of this country and of civilization.

Mr. JORDAN (Clare, W.) said, that in the name of his constituents he protested against the cruel, barbarous, and brutal treatment which had been inflicted upon them by the Government. Father Gilligan had been sent to gaol for a month for holding a meeting in boats upon the Shannon. He is a patriotic priest, but he is as Christian as patriotic. He did not know what right the police had where the Sheriff, bailiffs, and Emergency men were present to attack a man who was only offering a passive resistance in defence of his own house. He protested also against the manner in which the police laid snares for his constituents. Why should a blacksmith be punished for refusing to shoe horses for Mrs. Moloney, and why should shopkeepers be punished for not supplying Mrs. Moloney and her Emergency men with goods which were their own property and which they did not require and for which the Emergency men had not

money to pay? The police and Hannah O'Connell entered into a conspiracy to entrap the shopkeepers. In Miltown Malbay 25 publicans were summoned for not supplying the police, because by the advice of Father White they closed their houses for the purpose of keeping the Military and Constabulary sober. The right hon. Gentleman employed pimps, spies, informers, and conspirators to help on his government of the country. Men now could neither meet, nor speak, nor sing, nor cheer, nor whistle, nor pray without the intervention of the Constabulary. Finally, he protested against the conduct of the right hon. Gentleman the Chief Secretary in the House; he had that evening refused to believe the statement of an hon. Member of the House; his own statements had been disbelieved, when he had stated that with his own eyes he had at Kilrush seen furniture broken and thrown out on the roadside. Why should his and his hon. Friend's word be doubted? They were as truthful in private life as the right hon. Gentleman the Chief Secretary; aye, and in public life too. The right hon. Gentleman had four times within a few days branded him as a liar before that House—1st, as regards the breaking of furniture at Spellasy's house; 2nd, in reference to Captain Turner's orders to fire in a window; 3rd, in reference to the partial action of Cecil Roche as between me and Mr. Patten; and, 4th, the different version of the transaction between Dr. Counsel and Colonel Turner; and yet the right hon. Gentleman had no knowledge of the matters in question except through Emergency men. But the right hon. Gentleman was a fitting tool for the policy of exasperation which was intended and calculated to promote crime.

MR. T. A. DICKSON (Dublin, St. Stephen's Green) said, he had been a Member of the Royal Commission on Irish Prisons, and if the recommendations of that Commission had been carried out Mr. Mandeville and Dr. Ridley would have been living to-day. The great difference between English and Irish prisons was this—that in English prisons the medical officials and all the higher class of officials were independent; whereas in Irish prisons the medical officers and the Governors did not act upon their own judgments, but were merely tools in the hands of the Government of the day. Even with regard to small and minute points they were bound to take their instructions from the Executive in Dublin Castle. He had hoped that the recommendations of the Prisons Commission had changed all that; but the facts that had come to light in the cases of Mr. Mandeville and Dr. Ridley showed, unfortunately, that the system remained unchanged. He remembered being deeply shocked some years ago at the case of an unfortunate man at Waterford. This man was arrested for allowing his sheep to stray upon the public road, and was committed to prison for 14 days in default of paying some trifling fine. He was a hale, strong man, the only complaint from which he suffered being an irritating skin affection. Troubled by this and the confinement, he became violent, and the prison doctor asked leave to use a particular kind of restraint in order to control him. The reply of the Prisons Board was that the restraint suggested by the doctor must not be used, and that the man should be put in muffs and pinioned. This direction was acted upon, and the man was kept under these restraints for eight days, and very soon afterwards he died. Had the recommendations of the prison doctor been carried out, and had the Prisons Board not interfered, the man would be alive now. He (Mr. T. A. Dickson) at that Commission interrogated Mr. Bourke, Chairman of the Prisons Board, in reference to that case, and Mr. Bourke's reply was—"We (the Prisons Board) are only tools in the hands of the Government."

MR. A. J. BALFOUR: Of what Government?

MR. T. A. DICKSON: Of the late Government. But the right hon. Gentleman makes no point in that. That makes no difference. It was of no consequence under which Government the facts which he had related occurred. One Government was like another in regard to prison administration, and the present Government were at this moment governing Ireland through the tools transferred to them by their Predecessors. He had denounced the system when carried on by the Government of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) as he did now. His point was that the medical officers of Irish prisons were not free agents, as were the doctors in English prisons, and were not allowed to

pursue the treatment that they thought best in connection with the prisons. It was mainly owing to that that a great deal more deaths took place in the Irish than in the English prisons, and that treble the number of cases of insanity occurred. One might as well compare hell and paradise as compare the state of things in Irish prisons with that existing in English gaols. This was what they complained of, and this was what they desired to see remedied. What they wanted in Irish prisons was a system of officials who would be under the control in every minute particular of the Executive Government.

Mr. FLYNN (Cork, N.), after referring to the case of Dr. Magner at considerable length, contended that the right hon. Gentleman the Chief Secretary controlled all the Departments of public life in Ireland as effectually as the man who pressed the button controlled an electric machine. He contended that the conduct of the right hon. Gentleman, in his treatment of the Irish political prisoners, was contemptible. Whenever a communication came from the right hon. Gentleman, as in the case of poor Mandeville, to do anything, it was at once done, and all the independence of the prison doctors was taken from them. The Irish Members charged against the Government not only that they did not differentiate between political prisoners and others, but that political prisoners got by far the worst of it. He asked whether the right hon. Gentleman would withdraw the imputation he had cast on the veracity of the hon. Member for East Cork (Mr. Lane) when he saw that Gentleman's sworn testimony, as, if he did not, the want of honour would lie with him? They hoped to call the attention of the country to these matters, and he was only sorry that they were called upon to discuss them upon the Report stage of a Vote on Account, and not upon the Estimates themselves, when it would have been their duty to lay these matters in full detail before the House, the Government, and the country.

Mr. T. C. HARRINGTON (Dublin, Harbour) said, it was a strange thing that the right hon. Gentleman the Chief Secretary—who was responsible for the present treatment of political prisoners in Ireland—should plead ignorance of the entire prison system. In that the right hon. Gentleman differed from his Predecessors in the Office, who had always made themselves fully acquainted with the system. He considered that the Chief Secretary, or the Minister administering Irish affairs, should make himself well acquainted with prison treatment in Ireland. The right hon. Gentleman seemed to wish, however, to remain ignorant of that treatment, and what they complained of was that the right hon. Gentleman, without any knowledge of the system, had on public platforms in England made declarations in comparison of the systems of treatment prevailing in the two countries. Those systems differed not so much in the rules and the scale of dietary as in the entire spirit and genius in which they were put into operation. From the evidence given before the Royal Commission, over which Lord Cross presided, it was shown that, whereas in England medical officers were enjoined to be careful and watchful of the health of the criminals and to tend them when their health broke down, in Ireland medical officers were interfered with by outside authorities and their right to send prisoners to hospital questioned. In Ireland the Chairman of the Prisons Board gave instructions to the Governors of prisons to report any medical officer who sent a prisoner to hospital unless he was suffering from some serious disease. When a prison doctor so acted his situation was not worth 24 hours' purchase. The right hon. Gentleman the Chief Secretary by public utterances on platforms had also terrified prison doctors; and so far from the right hon. Gentleman allowing freedom to the prison doctors in the treatment of prisoners, by the manner in which he had insisted on the treating political prisoners as ordinary criminals, he so terrified the medical officers that they were afraid to order proper treatment to the men confined to their charge for political offences. The right hon. Gentleman also sent to Ireland a medical gentleman who made it his function to terrify the prison doctors. The medical officer of every gaol visited by Dr. Barr assured the political prisoners under his charge that he was terrified, that he dare not order them the treatment he could order ordinary prisoners. With regard to the case of Mr. Mandeville, he (Mr. T. C. Harrington) had recently in his hands the book in which the late medical officer of Tullamore Gaol (Dr. Ridley), made his entries in regard to the treatment of

prisoners, and in that book he found that men who had committed offences at which society shuddered and was shocked, were receiving 1½ lb. of meat per day, while Mr. Mandeville—because he would not put on the prison dress, or associate with criminals—was receiving bread and water; the only change which the prison doctor dared to make in the treatment of the latter being that, as he was suffering from diarrhœa, white bread was substituted for brown, and in this way he was treated, until his system became thoroughly enfeebled, and he died. Yet the right hon. Gentleman boasted there was no difference made in the treatment of prisoners. While the vile criminal was treated with some sort of leniency and some regard for his life, and the utmost rigour and severity were dealt out to the man who had taken an honourable part in politics against them, the Government would receive, as it deserved, the execration of the Irish people. The right hon. Gentleman the Chief Secretary said he would not make a change in favour of political prisoners in regard to their treatment; but the right hon. Gentleman had already made that change, and had made it in a mean and sneaking fashion, because when Father Ryan, the first of the priests who were imprisoned, came to Limerick Gaol, he was asked to wear the prison clothes; and it was only on his refusal to be degraded and humiliated and stripped of his distinction as a priest that the right hon. Gentleman's conscience was smitten, and he threw the responsibility of the concession which was made in that case on the Prisons Board. It was then said that they had discovered an Act which allowed a change of treatment in regard to particular prisoners, and Father Ryan was permitted to wear his own clothes. Why was not that Act discovered and applied in favour of Mr. Mandeville? Perhaps the Government thought it would be inconvenient, when they were in negotiations with Rome, if it went forth that they had caused an Irish priest to be violently stripped of the garb of his profession.

MR. J. O'CONNOR (Tipperary, S.) said, the right hon. Gentleman the Chief Secretary reminded him of the man in the play, who was confronted with the apparitions of those who he had formerly done to death. Some seemed to be appearing before the right hon. Gentleman's imagination to-night—the spirits of Mr. Mandeville and Dr. Ridley—and, in terror, he had cried out, "Thou cans't not say that I did it." The right hon. Gentleman tried to shift the responsibility of the death of these men upon the shoulders of those who sat on the Front Opposition Bench. He had said that it was under a system of prison treatment established by his opponents that these men were done to death. Now, the prison system in Ireland was administered by the subordinates according to the spirit that was manifested by those in authority. They knew that the system of government in Ireland was a very sensitive one, and that every official in Ireland took his tone from those who were in authority. His hon. Friend had instanced to-night many cases which proved that to be the case. The right hon. Gentleman had accused his opponents of having done in like manner; but there was this difference between the conduct on the part of those who sat on the Front Opposition Bench and the conduct of the right hon. Gentleman, that, while his Predecessors in Office, Members of the Liberal Party, restrained the acts of tyranny, the right hon. Gentleman, with a front of brass, defended every act of his subordinates. To-night the right hon. Gentleman had either given an imperfect statement with regard to the charges made, or he had made no statement at all. A very heartrending case was brought to the notice of the House a few nights ago by the hon. Member for North Dublin (Mr. Clancy). It was that of the case of a man who lost his reason in prison, and although the right hon. Gentleman had three days to acquire information on the subject, he came down to the House that night and told them that he had received no information whatever respecting the matter. He (Mr. J. O'Connor) maintained that the House ought to insist that the right hon. Gentleman should come down prepared with information upon a matter of such great importance as one concerning the reason of one his victims. There was another case to which the right hon. Gentleman had attempted a reply. It was the case of the Miltown Malbay people. He had said that a poor woman, named Hannah Connell, was boycotted in a most flagrant manner; he had said it was a most disgraceful case of Boycotting; but he failed to announce, for the information

of the House, what was proved at the trial of the case—namely, that the old woman swore that she was not in need of food at all, because she had a pit of potatoes to fall back upon. And not only that, but it was stated, upon most irreproachable authority, in the course of the trial, that the shop of Mrs. Moloney, her employer, was open to her for the purchase of goods. She went to the people who had been punished for Boycotting her for no other purpose than to carry out the policy of her employers. He contended that the right hon. Gentleman ought to try and perform his duties in a more consistent manner than to come down to the House with a statement in one case and with no statement in another. He had said that officials in Ireland took their tone from those in authority. They knew that very well. Those of them who had been imprisoned in very recent times knew that even the humble warder of a prison was able to indicate how the feeling was in Dublin Castle by the very manner in which he turned the lock upon his unfortunate prisoners. The very tone of his voice, the very way he looked, at once indicated the state of feeling in Dublin Castle for the moment. He (Mr. J. O'Connor) proposed, for the information of the House, to cite a case that would prove the truth of his statement. He would not take any of those glaring cases that had engaged the attention of the House not only during the course of this evening's discussion, but during the many interesting discussions that had taken place lately, and had racked the feelings of Englishmen and Scotchmen throughout the length and breadth of the land. He would cite a case that occurred in a remote town of Ireland—a case of a humble man who had suffered persecution at the hands of the subordinates of the right hon. Gentleman; he alluded to the case of that humble man, Thomas Ferriter, who lived in the remote town of Dingle, in the county of Kerry. This man had suffered no less than four terms of imprisonment during the past 12 months—in three of the cases the celebrated Cecil Roche had operated upon him. Mr. Thomas Ferriter was marked out at an early stage of the coercive *régime* as a victim of the police. He was a man who, like many of those who lived in remote places in Ireland, being perhaps more intelligent than their neighbours, opposed themselves to the petty tyranny of those police constables and magistrates who carried out the behests of the right hon. Gentleman with regard to those who defended them in the House of Commons. He (Mr. J. O'Connor) had said that during the past 12 months Ferriter had suffered imprisonment four times. Even before the Coercion Act was put into operation, Mr. Thomas Ferriter was marked out for persecution. During the Glenbeigh evictions, for merely saying to the Government reporter—"Take that down, Springer," he was brought up before Mr. Considine, the Resident Magistrate, and a Bench of landlord Justices of the Peace, and sentenced to two months' imprisonment. In December last, he was sentenced under the Coercion Act by Cecil Roche and Mr. Walsh, two Removables, for an assault upon the police. Now in England——

MR. MILVAIN (Durham): Mr. Speaker, I claim to move, "That the Question be now put."

MR. SPEAKER withheld his assent, and declined then to put that Question.

MR. J. O'CONNOR said, that the hon. and learned Member for Durham (Mr. Milvain) appeared to be in a great hurry. He (Mr. J. O'Connor) did not very often intrude on the attention of the House, and he had not very much to say now. When he was interrupted he was about to say that in England, when they heard of a man having made an assault upon the police, they were prepared to see it stated that he had either obstructed a policemen, or pushed him in some way as would amount to a breach of the peace. But what did the assault consist of in the case of Mr. Ferriter? Merely this—that he closed his own door gently in the face of a head constable who wanted to force his way in without leave, without licence, or without warrant. Mr. Thomas Ferriter was quite within his right in refusing to admit the police, who came to his house without a warrant of search; without a warrant of arrest; without a warrant of any kind. Mr. Thomas Ferriter was quite within his right in closing his door; but he did it gently. For what he did he was sentenced by these two Removable Magistrates to seven weeks' imprisonment. Now, that was not the end of this unfortunate man's troubles. In January last, Mr. Ferriter was again charged under the Coercion Act with a similar offence to that of December, and

he was then sentenced to seven days' imprisonment again by Cecil Roche, who this time was associated with Mr. Irwin. Mr. Ferriter went through that imprisonment; but the next, and most serious case, was one in which he was entrapped into an offence for which he had received three months' imprisonment. He was entrapped into the commission of the heinous crime of selling *United Ireland*. How was he entrapped? On the nignt of the 11th of November, a man smelling strongly of drink entered Ferriter's shop and asked for a copy of *United Ireland*. The mau said he was a tailor from Wexford and had come to Dingle for work. He used great persuasion to induce Ferriter, who did not like his looks, to sell him a paper. The newsagent, for Mr. Ferriter was a newsagent, put him to cross-examination, and during it his visitor informed him that his name was Tyman. After a little time, Mr. Ferriter was induced to part with a copy of *United Ireland* for the sum of one penny, and soon afterwards he was prosecuted for having sold the paper. In the Court House, he was confronted by the tailor from Wexford, his former acquaintance, who appeared in the full uniform of an Irish police officer. For this heinous crime, he was sentenced to three months' imprisonment. What he (Mr. J. O'Connor) wanted to bring to the notice of the House was that there was gross injustice done to Thomas Ferriter on the occasion of his trial. There was absolutely no evidence given as to the charge for selling a paper containing a report of which Mr. Ferriter was prosecuted. The constable in the course of the trial said he could not swear the meeting was not a gathering for parish purposes. Mr. Ferriter pointed out that the Lord Chief Baron Pallas had ruled in a prosecution of the kind, that evidence of the meeting should be given, and Mr. Ferriter asked the magistrates, after they had passed sentence upon him, to state a case to the Court of Exchequer on the point. But the magistrates refused to state a case, though cases had been stated before under similar circumstances and continued to be stated now. The next point in Ferriter's case he wished to bring before the House was that the meeting in question was alleged to have been held at a place called Dumbeg, in County Clare. Dumbeg was more than 100 miles from Dingle in Kerry, where Ferriter's offence was said to have been committed. This newsvendor, in a remote and almost inaccessible part of the extreme South West of Kerry, was sent to gaol for selling to a disguised policeman at Dingle a newspaper containing a report of a meeting of a suppressed branch of the National League, alleged to have been held more than 100 miles away. Ferriter would now very soon have completed his sentence. He would go back to Dingle in Kerry, and he would there continue to be persecuted day after day. While the right hon. Gentleman continued to give his tone of acerbity and tyranny to the officials of Ireland who carried out his behests, it would be his (Mr. J. O'Connor's) duty to bring forward other cases of a similar character, in order to prove the truth of his contention. The one he started with showed that the system of Government in Ireland in all its particulars, in all its details, took its tone from those who were in authority. He wished particularly to impeach that system of organised ruffianism in Ireland which was connected with the police. Not only did he desire to impeach the police for their conduct towards the people of Ireland, but he desired for the information of the English people to lay before the House, and from the House to the constituencies of its hon. Members, the enormous cost of the Police Force in Ireland.

SIR WILLIAM CROSSMAN (Portsmouth): I claim to move "That the Question be now put."

MR. SPEAKER withheld his assent, and declined then to put that Question.

MR. J. O'CONNOR said, he would not detain the House at any great length. It was his intention to have brought under the notice of the House the influence of the Police Force in Ireland; but as he had no doubt, at that stage of Public Business, his remarks would have no effect in influencing the Government in regard to the Force, he would postpone that branch of the case until a future occasion, especially as he perceived there were some hon. Members who were very anxious to get rid of this very disagreeable subject and proceed to the next Business on the Paper. He trusted, at all events, that enough had been said that night to enlighten hon.

Members opposite, if their minds were still open to the terrible things which had been enacted in Ireland in the name of law and order. He could not hope that the atrocities which were enacted at the instigation of the right hon. Gentleman, who had shown himself capable of behaving in a disgracefully jocular manner whilst serious charges were being made, would induce him to lay a lighter hand upon those people who might be unfortunate enough to come under his censure during the course of his Office, be it long or short. This much, however, he would say to the right hon. Gentleman and to the Government, of which the right hon. Gentleman was a bright ornament, and to the Members of the two Parties who so consistently supported him in his acts generally, that no matter how severe a hand the Chief Secretary might lay on the Irish people, no matter how fiercely his subordinates might coerce and trample on the Irish people in remote parts of Ireland, as he had failed to carry out successfully the forms of coercion he had applied to the Press, he had applied to public meetings, he had applied in Star Chamber processes, so also would he miserably fail to carry out his object in every clause, in every line, in every sentence, and in every syllable in that Coercion Act which was disgracefully hurried through the House by the unjustifiable use of the Closure Rule.

MR. EDWARD HARRINGTON (Kerry, W.) said, he was very thankful to his hon. Friend (Mr. J. O'Connor) for dealing with the grievances of his constituents, though he candidly confessed that he would have been more thankful if he had indicated to him that he was going to deal with them that night. However, he thought his constituency represented such a large area of grievances that it was within the province of any Member of the House, on any side of the House, to delve into it, and be sure of turning up a genuine grievance. Mr. Ferriter would soon be released from prison, and therefore some hon. Members might think the case was not deserving of very much consideration. Mr. Ferriter had, however, been abominably persecuted, and it was as well that his case should be brought as often as possible before the English people. The other day, they discussed the case of Mr. Latchford, and that night he (Mr. Edward Harrington) was in a position to announce that owing to their intervention, that gentleman was released that morning. He and his hon. Friends challenged Her Majesty's Government, through their partizan Lord Chancellor, to interfere with Mr. Latchford's Commission of the Peace. If his Commission were interfered with, they would certainly bring his case up again in a different form. He had some personal experience of the treatment of prisoners in Ireland, for he had been twice condemned to lie upon a plank bed. He had suffered under a Liberal as well as a Tory Administration in Ireland, and he believed on both occasions he was equally innocent or equally guilty. Reference had been made to the conduct of Irish prison doctors. Those officials had always been looked upon as men whose duty it was to interfere between the vindictiveness of the Government and the delicate constitutions of men committed to their charge. He well remembered a doctor coming to him in Tralee Gaol, and saying to him, "What can I do for you?" The doctor knew him personally, and he said—"I can order you anything, I can give you anything." His reply was—"I do not want anything from you, because I should only get it as a favour." The doctor said—"Oh, I can give you anything, because I am leaving here to-morrow." He understood that that was not the basis on which he wanted to be treated, and said, all he wanted was that if the doctor stayed there, he should treat all other prisoners as he treated him. When he was released from gaol, and met the doctor outside, that gentleman was afraid to shake hands with him, for fear that he might in consequence be deprived of his position. That, he maintained, was a disgraceful position for the prison doctor to be placed in. The doctors of Ireland looked to the Government for employment, and the doctor referred to did not like to offend his political Friends. As a matter of fact, the noble Profession of medicine in Ireland had been prostituted for political purposes. In his country a prison doctor was a partizan of the Government, and he could not hold his situation for 24 hours unless he pleased the Government.

Question put, and *agreed to.*

SUPPLY.—REPORT.

Resolutions [4th August] *reported.*

Resolutions 1 to 5 *agreed to.*

Resolution 6.

MR. R. W. DUFF (Banffshire) said, that in consequence of an appeal made to him by the right hon. Gentleman the First Lord of the Treasury on Saturday last, he had deferred putting a Question then to the First Lord of the Admiralty or to the Secretary of State for War. He stated on Saturday his estimate of the number of guns which would be required for the Land Services and the Navy. He estimated that there would be 160 guns above 9 inches diameter required in the next three years, and no reply was made to that from the Treasury Bench. His estimate might not be, strictly speaking, accurate; but, assuming it to be accurate, he did not see how they were to get such a large number of guns from Government Establishments. He suggested on Saturday that the Government ought to go into the market and endeavour to get the guns. He received no answer to that suggestion. They had been told, in a general way, that it was impossible for the private firms to supply these guns up to test. His contention was that if the War Office Authorities chose to go into the market for the guns, they had their own tests, and if the tests were not satisfactory they need not take the guns. What he wanted to ask of either the First Lord of the Admiralty or the Secretary of State for War was, whether his estimate was correct. He wanted further to know how many guns were wanted to carry out the Government's programme, and how they were going to get the guns. They knew perfectly well that the Government Establishments at Woolwich, Messrs. Armstrong, and Messrs. Whitworth, could not supply the guns required, unless they quadrupled the supply they had hitherto given. The fact of the matter was that no progress had been made upon the gun question. The House had been constantly told that the guns were ordered and the authorities asked the House to have faith that the guns would be delivered. If they judged by past experience, they had no reason to suppose that the promises on the part of the War Office would be carried out. Inasmuch as Parliament had voted money for the defence of military ports and coaling stations, and inasmuch as the First Lord of the Admiralty had announced what guns would be required for the Naval Service, he begged the Government to tell them what they believed would bethe output from the Government Establishments during the next three years.

THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON) (Middlesex, Ealing) said, that the hon. Gentleman asked him, on the last occasion on which the Vote was under discussion, what would be the output of guns of 9-inch and over, and he insinuated that the Government Manufacturing Establishments—that was to say, Woolwich, Elswick, and that of Messrs. Whitworth, would be unable to comply with the requirements of the Navy so far as heavy guns were concerned. The number of guns which would be required above 9-inch from all Establishments now building, including both their armament and their reserve, was 81. All those guns had been ordered, and 45 ought to be delivered in the course of the present financial year. He believed that the difficulties which they had had to encounter that year would be overcome, and that the delays of which they had reason to complain would not occur again. But the hon. Gentleman must recollect that the difficulties had mainly occurred with guns of a certain calibre, and that nothing would be more unwise than to encourage private manufacturers to set up new establishments for the purpose of constructing guns of very heavy calibre. They must proceed by degrees—private establishments must begin with small guns. So far as the supply of small guns were concerned there had practically been little difficulty.

MR. R. W. DUFF said, that the noble Lord had not answered his question, which was, what was his calculation of the output of the Government Establishments during the year?

LORD GEORGE HAMILTON said, he did not understand that that was the question of the hon. Member; he understood the hon. Gentleman wished to know what the output was of the three Establishments, including the Woolwich, to which orders had been given. He had stated that of out a total of 81 heavy guns

of over 9 inches, 45 would be delivered during the present financial year.

MR. R. W. DUFF: They have never delivered more than 20.

LORD GEORGE HAMILTON said, the hon. Gentleman seemed to be unable to understand that the delivery of the guns depended upon when the guns were ordered. These guns, having been ordered some time ago, would be delivered during the present financial year. They would come either from Woolwich or from Messrs. Armstrong or from Messrs. Whitworth.

MR. R. W. DUFF asked, if he was to understand the noble Lord to say that the establishments which had never yet produced more than 20 guns in a year, would in the ensuing year produce 45?

LORD GEORGE HAMILTON said, he did not admit that the establishments had only produced 20 guns a-year. What he wanted the hon. Gentleman to understand was that the day of the delivery of the guns depended upon the day when the guns were ordered.

MR. MUNDELLA (Sheffield, Brightside) asked the First Lord of the Admiralty what proportion of the 45 guns he expected to receive from Woolwich, and what proportion from the outside contractors?

COLONEL NOLAN (Galway, N.) said, that perhaps the Government would tell the House what was the capacity of private establishments for making guns? He impressed that point on the noble Lord, as he observed that the noble Lord did not seem to understand the point raised by the late Financial Secretary of the Admiralty (Mr. R. W. Duff). It would be very interesting to know how many tons of heavy guns could be turned out by Messrs. Armstrong and by Messrs. Whitworth in a year.

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) said, that the Establishment at Woolwich had not been extended, but Messrs. Armstrong and Messrs. Whitworth had extended their establishments in the course of the last year, and were still extending them. The Government had no reason to doubt that within three years every gun now ordered for the Land or Sea Service could easily be delivered.

MR. MUNDELLA asked, if the right hon. Gentleman could answer the question he put to the First Lord of the Admiralty—namely, what proportion of the guns he expected would be turned out of Woolwich?

MR. E. STANHOPE said, that the proportion turned out of Woolwich was very small compared with that turned out by Messrs. Armstrong and Messrs. Whitworth. The productive power of Woolwich was small as compared with the other establishments; because, as he said the other day, Woolwich had to do all the repairs.

Mr. MUNDELLA asked, if it was the intention of the Government to extend the manufacture or building up of guns at Woolwich; or, whether we were to be dependent on the outside trade for the construction and supply of guns? If Woolwich was to be confined mainly to the repairs of guns, from what source were we to derive our supply of heavy guns? Was it to come exclusively from Elswick and from Messrs. Whitworth? Was Woolwich going to be what it ought to be—a gun factory for building up guns, the outside trade supplying the material? If the Government would constitute Woolwich a gun factory, all would be well; for he thought the right hon. Gentleman knew that the supply of guns was only limited by the power of Woolwich to put guns together.

MR. E. STANHOPE said, the right hon. Gentleman had asked a question he (Mr. Stanhope) answered on Saturday. There was no doubt whatever that the object of the Government was to make Woolwich a place where guns could be built up, and not where they should manufacture steel, which manufacture the right hon. Gentleman no doubt desired should remain at Sheffield. The Government looked to Sheffield for the manufacture of steel, Woolwich being mainly employed for the repair and building up of guns. Even if they were not able to get assistance from other outside firms which they did hope to get to a certain extent, there was an enormous amount of gun building at Woolwich and the two other factories which had been referred to.

MR. MUNDELLA again rose to address the House——

MR. SPEAKER: The right hon. Gentleman has already spoken twice.

Resolution *agreed to.*

Resolution 7.

DR. TANNER (Cork Co., Mid) said, he would not have ventured to intrude upon the attention of the House at that stage were it not for the fact that in the second Report published by the Committee on Navy Estimates, a Committee on which he had a seat, there were several points which were altogether in antagonism to the statements which were made by the Director General of the Navy; and in the interest, therefore, of the Naval Medical Service and of the Medical Profession generally, he begged to offer a few observations. He was not able to be present when the Committee drew up its Report, because he was occupied domestically. The Committee reported that there were—

"Exceptional advantages of pay and especially of retirement, and that the necessity of continuing these excessive advantages to future entrants deserves the watchful attention of the Board of Admiralty. The high inducements given to junior officers to retire are especially of note."

Mr. Dick, the Director General of the Navy, stated in the plainest possible way that prior to 1881 they had very great difficulty in getting a sufficient number of applicants for positions in the Naval Medical Department, and that it was only in consequence of various reforms which were initiated that men were induced to enter the Service. Mr. Dick admitted, during cross-examination, that the Service was still 21 short; but said that at any moment they could easily get that number. Perhaps the House would allow him to call their attention to the distinct differences there were between the officers of the Naval Medical Department and the officers of the Army Medical Staff, and those differences were distinctly drawn attention to by Mr. Dick in his evidence before the Committee. Mr. Dick stated that the officers belonging to the Naval Medical Service were removed from Netley, which was their former school, to Haslar because when Naval Medical officers had been educated side by side with officers belonging to the Army Medical Staff and they were placed on board ship—when they were cabin confined and sent off to such a place as the West Coast of Africa or the Red Sea, they at once began to draw distinctions between their position and the position which their *confrères* in the Army occupied. Mr. Dick added that were they to allow the Naval Medical officers to be educated with the Army Medical officers there would be great grumbling, and the younger men who would otherwise enter the Service would avoid it. He (Dr. Tanner) had put down six points of distinction which he commended to the attention of the Government. In the first place, the officers of the Army Medical Staff had better pay than the Naval Medical officers; in the second place, they had more comfort; in the third place, they had more leave; in the fourth place, they had better chances of keeping up their medical knowledge, and that point had been accentuated by the Report of the Committee over which Sir Anthony Hoskins presided; in the fifth place, the men of the sick berth staff were independent of the medical officers, whereas the men of the Army Staff Corps were directly under the control and management of the Army Medical Officers Staff; and in the sixth place, there were fewer of the Naval Medical Service than the Army Medical Staff, who, when they retired, were able to enter into private practice. That the Army Medical officers received better pay was a matter of notoriety. Upon that point Mr. Dick acknowledged that if a Naval Medical man was serving in Plymouth Sound, or on the West Coast of Africa, he received the same pay, and, moreover, that the Income Tax was deducted from the pay he received when away from home. Any hon. Member who was at all conversant with Army and Navy Medical officers knew perfectly well that any officer of the Army Medical Service who was sent to the West Coast of Africa received very good pay, and that for every year's service he received a year's leave. The position of the Naval Medical Service, in comparison, was simply ridiculous and absurd. Not only so, but it was also a matter of notoriety that the officers of the Army Medical Service received double pay when serving in India, when they were in China or in the Straits they also received double pay, and when serving at the Cape of Good Hope they received Colonial allowance, which in itself was a very great increase to their pay. On the subject of leave, let him say that a Naval Medical officer was a man of business, that he had to serve in every part of the world, and that accordingly

he must be more or less conversant with the diseases, not merely of this country, but of all lands; and, not only that, but he must be equally good at surgery as at medicine. Such a man was only allowed 14 days' leave for one year's service. But if an officer of the Department was attached to a foreign hospital —say, at Jamaica—for two or three years and then came home, he got no leave at all; because it was said he had had so many comforts on shore. Then, he sincerely hoped the noble Lord the First Lord of the Admiralty would give them some assurance that the Naval Medical officer would be afforded better chances of obtaining improved medical knowledge. It was suggested in the Report of the Committee over which Sir Anthony Hoskins presided that great advantages would ensue if Medical officers had the opportunity between their terms of seagoing service of attending the Metropolitan or other large hospitals, where they would learn the latest additions to Medical Science. During the two or three years a Naval Medical man spent on board a ship on the West Coast of Africa, or in the China Seas, or on any of the foreign stations, Medical Science must make many advances, and he must get rusty. It would unquestionably be well if a Naval Medical officer could occasionally come to any one of the various schools which were open to medical practitioners. There were precedents for such a course. Officers in the German Naval Service, when they came home from duty, were sent to the hospitals in the various University towns; he (Dr. Tanner) had had the pleasure of studying side by side with many of them in Berlin. It was said by Mr. Dick, in cross-examination—

> "Of course, the German Naval Service is a very small service, and therefore its officers can very easily be told off to the various schools in Germany."

But that was not only the case with the German Naval Service, but the officers belonging to the German Army, which was proportionately as large as the Navy of this country, were also told off periodically to increase their medical knowledge. It could not cost much to offer such facilities to our officers. Surely the Medical Schools in the Metropolis would be only too glad to open their doors to officers belonging to the Medical Services, if the Government made overtures to them with that end. Again, if these advantages were offered to them, they would, when their period of service expired, be better able to engage in the private practice of their profession, and in that case the scale of retirement allowances need not be so high as it was at present. Furthermore, he suggested the advisability of a Naval Medical Reserve Force. It would be of incalculable benefit if there was to fall back upon a body of men experienced in medicine, and who were at the same time accustomed to the ways of the sea. An extraordinary statement was made before the Committee with regard to the Haslar Hospital for lunatics. It was said there were at present there 38 officers, and only 180 men. It seemed to him unreasonable that a hospital of that sort, intended principally for men, should be expected to accommodate such a disproportionate number of officers. He trusted to hear from the noble Lord that every effort would be made to keep up the standard of the Naval Medical Service.

THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON) (Middlesex, Ealing) said, that the Committee certainly did not take the same view of this matter as the hon. Gentleman. Whilst they all agreed it was of supreme importance that the Medical Officers of the Navy should be capable men, and able to attend to the wants of the officers and men with whom they might be associated, they were, on the other hand, of opinion that the advantages of pay and retirement which were attached to the Naval Medical Profession were somewhat excessive. The Committee recommended that the necessity of continuing those excessive advantages deserved the watchful attention of the Board of Admiralty. Therefore, so far as pay and leave were concerned, he could not hold out to the hon. Gentleman any hope of any increase. There was no lack in the supply of candidates, and that in itself was a conclusive reason why they should not increase the Votes for these Services. The Medical officers of the Army might, in certain instances, have advantages over their brethren in the Navy; but the Admiralty proposed to appoint a small Committee to inquire during the autumn both into the Medical Service of the Army and of the Navy, and,

so far as they could, assimilate the practices in both, though he did not think that would be done in the direction of increasing the endowments of either Service. The Committee would undoubtedly direct their attention to the points which the hon. Gentleman had raised. He thought it was proper that officers when they came home after being paid off from their ships, should have access to the large hospitals, and he hoped that some provision of that kind could be made. The Committee would also inquire whether it was possible to have a Reserve of Medical Officers. That was no easy matter. It would be no use having medical men who were not accustomed to go to sea, and on the other hand, the very fact of such men being accustomed to go to sea might not justify the country maintaining them. In regard to the Haslar Lunatic Hospital, it was no doubt true that the officers there bore an undue proportion to the men. The relatives of the officers were ready to pay the extra cost of officers coming to the hospital, and moreover, the men went to the county asylums in far greater numbers than the officers. Upon the question of the Sick Berth Staff, he had only to say it was the practice in the Navy that there should be only one person on board ship with the power to inflict punishment. It was not thought proper that the medical officer should be able to inflict punishment. The medical officers had acquiesced in the system, and no complaint had been made.

Resolution *agreed to.*

Remaining Resolutions *agreed to.*

CONSOLIDATED FUND (No. 3) BILL.

(*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson*).

COMMITTEE.

Bill *considered* in Committee.

(In the Committee).

Clause 1 (Issue of £20,693,375 out of the Consolidated Fund for the service of year ending 31st March 1889.)

Amendment proposed—(*Mr. Jackson*).

MR. CALDWELL (Glasgow, St. Rollox) asked for some explanation why the Government were taking such large borrowing powers.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, that the Amendment did not deal with the question of borrowing powers. The reason for the change in the figure was the addition of the sums voted in Committee on Friday and Saturday and confirmed in that day's Report.

MR. CALDWELL asked, was he to understand that it would be necessary to borrow more in the course of the year?

MR. JACKSON said, of course, borrowing would take place if it became necessary, but if meantime money came in fast enough from ordinary sources borrowing would be unnecessary.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 2 (Power to the Treasury to borrow).

Amendment proposed, to leave out "£2,365,400," and insert "£20,692,375." —(*Mr. Jackson.*)

MR. CALDWELL (Glasgow, St. Rollox) said, his remarks as to borrowing applied particularly to this clause. The Government were in the habit of borrowing money on Treasury Bills. They borrowed for three, four, and sometimes six months at a time, and at a time when they had long balances to their credit on other accounts. When he brought this matter before the notice of the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) on a previous occasion, the right hon. Gentleman explained the difficulty that existed in regard to the Act of Parliament which required that the money thus borrowed in one year should be repaid within that year. But as he understood the financial arrangements, that difficulty could perfectly well be met by using other balances. He did not think that the managers of any other business concern would think of borrowing for one account while they had a large balance in hand on another account. The Government might very well take power in this Bill providing that one Department in respect to which there were large balances standing to its credit should transfer or lend to another Department in want of funds. The Indian Government had sometimes a considerable balance in hand, and the Indian Government were in the habit of lending for short periods, and the interest accruing was credited to their account. In a like manner might the

Government get the benefit of accumulated cash balances. Now, the Bank of England had the advantage of the money standing to the credit of the Government accounts, lent the money, and pocketed the interest. There was no reason, so far as he could see, nor so far as the right hon. Gentleman the Chancellor of the Exchequer had shown in his explanation, why in this Bill provision should not be made for lending money from one account to meet deficiencies in another.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, the hon. Member had mentioned that this question had already been brought to the attention of his right hon. Friend the Chancellor of the Exchequer, and if he remembered rightly his right hon. Friend in his answer explained that he had previously given close attention to the question of cash balances of the current year. This was the fact, and his right hon. Friend had considerably reduced the account standing to the credit of the Government, and diminished the amounts borrowed from time to time. He need hardly point out that borrowing upon Treasury Bills was about the most economical manner of raising money, for the average rate of interest during the year had been little more than 1 per cent. He did not think it would be possible to adopt a plan more economical than that. Then the question whether moneys belonging to the Indian Government should be mixed up with the accounts of the Home Government was a much larger question, and not to be dealt with on the present occasion. His own opinion would be distinctly against it.

MR. CALDWELL said, the hon. Gentleman had misunderstood his allusion. He did not ask that the accounts of the Indian Government should be mixed up with Home accounts, he only mentioned that the Indian Government lent from the surplus funds in their hands, and what he wished to point out was that if the Indian Government could do that with their money why should not the Imperial Government do the same, why instead of borrowing money from strangers should not one Department lend to another and thereby save money. It was quite true that the right hon. Gentleman the Chancellor of the Exchequer had been making some small savings, but it was very small in amount compared with what he might make. Money went into the Bank of England, and the Bank of England lent it to those who required money to meet the withdrawals from the banking accounts; the Government did not get the benefit they might get, and which the Bank of England did get.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Remaining Clause *agreed to.*

Bill *reported;* as amended, to be considered *To-morrow.*

METROPOLITAN BOARD OF WORKS (MONEY) BILL.

(*Mr. Jackson, Sir Herbert Maxwell.*)

[BILL 354.] SECOND READING.

Order for Second Reading read.

MR. JAMES STUART (Shoreditch, Hoxton) asked, on the question of appointing a day for this Bill, that it should be set down for a time when it might be expected to come on. It was a very important Bill, containing matter of the greatest interest to the Metropolis, and involving an increase in the rates of 3*d.* in the pound.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, he thought the hon. Member must see that, considering how the calculations of the Government as to occupation of time were continually upset, it was impossible to do more than postpone Bills from day to day. He hoped the Bill might come on to-morrow, for time was getting short; but he could not do more that put it off from day to day.

Second Reading *deferred* till *To-morrow.*

MERCHANT SHIPPING (LIFE SAVING APPLIANCES) BILL [*Lords*].

(*Sir Michael Hicks-Beach.*)

[BILL 290.] CONSIDERATION.

Order for Consideration read.

MR. W. P. SINCLAIR (Falkirk, &c.) said, the Bill was a most important one, and would, if passed into law, do a great deal of good. But there was one clause, the 3rd sub-section of Clause 3, which laid down that when the rules which the Board of Trade would have power to frame were framed, they should be laid on the Table of the House and

submitted to the consideration of Parliament. If not objected to for 40 days these rules would become operative as law. This was the principle adopted in reference to other measures; for instance, the schemes of the Charity Commissioners and the Scotch Mortification schemes, and he had no objection to raise to it. But it seemed to him that in the first instance the rules to be laid down being of so much importance, and affecting such large interests, ought to come before the House for consideration at a more reasonable time than that at which the schemes of the Commissioners to which he had referred were usually discussed. In the framing of these original rules there was much requiring consideration, and, if there was any objection to be raised, opportunity should be given before 12 o'clock.

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS-BEACH) (Bristol, W.) said, he quite agreed that the rules to be formulated would be of great importance. He hoped they would be framed with the general consent of those concerned, but, of course, should there be any desire on the part of any section of the House to object to or discuss any of the rules, then a reasonable opportunity should be afforded for the purpose.

DR. TANNER (Cork Co., Mid) said, he hoped the Bill would not be taken in the absence of the hon. Member for Greenock (Mr. T. Sutherland), who, time after time, had objected to the Bill when the Rules barred opposed Business. It was only right that the House should have the opportunity of hearing the hon. Member's grounds of objection, and the hon. Gentleman had no reason to suppose the Bill would be taken now. He was perfectly disinterested in this remark, for the hon. Member in question was, he believed, a Liberal Unionist.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) said, there seemed to be consensus of opinion that that was a very useful measure, and because the hon. Member for Greenock had not found it convenient to be in his place he did not think the House should postpone its Business.

MR. MUNDELLA (Sheffield, Brightside) said, he would add further, that since the hon. Member had watched the Bill so zealously, a strong Committee had examined its provisions, and on the Committee the hon. Member himself acted.

Bill, as amended, *considered;* an Amendment made; Bill read the third time and *passed*, with Amendment.

WALTHAM ABBEY GUNPOWDER FACTORY BILL.—[BILL 273.]

(*Mr. Brodrick, Mr. Secretary Stanhope.*)

SECOND READING.

Order for Second Reading read.

Objection taken.

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) said, he had conferred with the hon. Member for Bethnal Green and others who had opposed the Bill, and they had consented to serve on the Select Committee to which it was proposed to send the Bill during the Autumn Session. He hoped the House would now allow the second reading to be taken.

DR. TANNER (Cork Co., Mid) said, he had great pleasure in hearing the hon. Gentleman's statement, but still he must persist in his objection.

Second Reading *deferred* till *To-morrow.*

LOCAL BANKRUPTCY (IRELAND) BILL [*Lords*].—[BILL 344.]

(*The Solicitor General for Ireland.*)

SECOND READING.

Order for Second Reading read.

MR. BIGGAR (Cavan, W.) objected.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) said, he thought that sufficient reason had been shown for passing the Bill, and he would ask his hon. Friend to withdraw his objection. If he would not do so, perhaps the Government would take steps to secure a decision on the Bill before the Recess.

MR. MAURICE HEALY (Cork) said, he would appeal to his hon. Friend not to stand in the way of what might be made a very useful measure.

MR. BIGGAR said, in response to the appeals of his hon. Friends, it was only right that he should say briefly what his objection to the Bill was. The only effect, as far as he could see, would be to bring a large staff of *employés* into Derry, Belfast, and other towns who would practically have no business to transact. If an Amendment were submitted which would give bankruptcy

jurisdiction in small amounts to the Recorders of Derry, Belfast, and Cork, he would be disposed to consider the proposition; but to create a large bankruptcy staff in those places was preposterous; there would be no work for them to do.

MR. SEXTON, by the leave of the House, begged to assure his hon. Friend that his fears in reference to the constitution of a large extra staff was unfounded. The staff in Dublin was very large, and part of it would be transferred.

MR. BIGGAR said, he must maintain his objection.

Second Reading *deferred* till *Thursday*.

COPYHOLD ACTS AMENDMENT BILL
[*Lords*].—[BILL 298.]
(*Mr. Haldane.*)
SECOND READING.]

Order for Second Reading read.

MR. HALDANE (Haddington) said, he must repeat what he had said on former occasions, that he proposed in Committee to omit the Mineral Clauses, and opportunity would be given in Committee for discussion of the one or two points that arose in connection with the other clauses.

Motion made, and Question, "That the Bill be now read a second time,"—(*Mr. Haldane,*)—put, and *agreed to*.

Bill read a second time, and *committed* for *Thursday*.

LAND CHARGES REGISTRATION AND SEARCHES BILL [*Lords*].
(*Mr. Haldane.*)
[BILL 356.] SECOND READING.

Order for Second Reading read.

MR. HALDANE (Haddington) said, he hoped the House would agree to read this Bill a second time. Its object was merely to correct a blot that had been found to exist in the law governing land charges.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Haldane.*)

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, the hon. and learned Member had rightly described the object of the Bill. It supplied a deficiency in previous Acts of Parliament, and was designed to protect purchasers from incumbrances of which they had no knowledge.

Question put, and *agreed to*.

Bill read a second time, and *committed* for *Thursday*.

CHAPELS (CLONMACNOICE) BILL.
(*Colonel Nolan, Mr. T. M. Healy, Dr. Fitzgerald.*)
[BILL 361.] SECOND READING.

Order for Second Reading read.

MR. JOHNSTON (Belfast, S.), said, he objected. Considering the object of the Bill, he would suggest that it might appropriately be deferred to November 5th.

Second Reading *deferred* till *To-morrow*.

WAYS AND MEANS.

CONSOLIDATED FUND (NO. 3) BILL.

Resolution [August 4] *reported*, and *agreed to*.

Ordered, That it be an Instruction to the Committee on the Consolidated Fund (No. 3) Bill, That they have power to make provision therein pursuant to the said Resolution.

EAST INDIA (REVENUE ACCOUNTS).

Ordered, That the several Accounts and Papers which have been presented to the House, in this Session of Parliament, relating to the Revenues of India, be referred to the consideration of a Committee of the whole House.

Resolved, That this House will, on Thursday, resolve itself into the said Committee.

House adjourned at twenty-five minutes before Two o'clock.

HOUSE OF LORDS,

Tuesday, 7th August, 1888.

MINUTES.]—PUBLIC BILLS—*Second Reading—Committee negatived*—*Third Reading*—Marriages Validation * (256), and *passed*.

Third Reading—Distress for Rent (Dublin) *now* Small Debts and Distraint (Ireland) (253); Recorders, Magistrates, and Clerks of the Peace (215); Forest of Dean Turnpike Trust (232), and *passed*.

Royal Assent—Law of Distress Amendment [51 & 52 *Vict.* c. 21]; Factory and Workshops Act (1878) Amendment (Scotland) [51 & 52 *Vict.* c. 22]; Glebe Lands [51 & 52 *Vict.* c. 20].

PROVISIONAL ORDER BILLS—*Royal Assent*—Commons Regulation (Therfield Heath) [51 & 52 *Vict.* c. clxiv]; Elementary Education Confirmation (London) [51 & 52 *Vict.* c. clxv]; Oyster and Mussel Fisheries (West Loch Tarbert) Confirmation [51 & 52 *Vict.* c.

clxvi]; Local Government (No. 13) [51 & 52 *Vict.* c. clxvii]; Pier and Harbour (No. 2) [51 & 52 *Vict.* c. clxviii].

THE NEW PUBLIC OFFICES—ADMIRALTY OFFICE.

QUESTION. OBSERVATIONS.

THE EARL OF WEMYSS asked Her Majesty's Government, With reference to the proposed plans for the new Admiralty, that a model should be prepared of that part of London showing the proposed new buildings on the site which it was intended they should occupy, so that the public might have the opportunity of judging of the structure to be placed on the Horse Guards' site? That site was by far the most noble in the Metropolis, and it was important that the new buildings should be in harmony with the surroundings. He was informed that this would not be the case if the plans in question were carried out.

LORD HENNIKER said, that he would not follow his noble Friend on the Cross Benches as to the question of the site for these buildings, as he had already explained the views of the Government on more than one occasion. The plans of the Admiralty were not so far advanced that a model could yet be made from them. When they were sufficiently advanced to allow of a model being made, the Chief Commissioner of Works would consider whether he could put a model in their Lordships' House. He had no doubt that the Chief Commissioner would be glad to do anything he could to suit their Lordships' convenience.

STANDING ORDERS COMMITTEE.

POSTPONEMENT OF NOTICE.

THE LORD PRIVY SEAL (Earl CADOGAN) said, that he did not intend to proceed with the Notice he had given with reference to the Report of the Committee on the Standing Orders of the House. It was his intention to ask their Lordships to take that Report into consideration early in the ensuing Session.

PUBLIC BUSINESS—THE LOCAL GOVERNMENT BILL.

STATEMENT.

LORD BALFOUR said, he wished to give notice, with reference to the Local Government Bill, that it was not proposed to ask the House to take the Report stage to-morrow, but to put it down for consideration on Thursday. He would ask permission, also, to make a statement with reference to two points which arose in the course of the discussion of the Bill in Committee. In the course of the discussion on one clause reference was made to certain provisional proposals with regard to the numbers of the County Councillors and Aldermen in England and Wales and the County of London which had been circulated in "another place." He had obtained copies of that print for the use of their Lordships, and they would be found in the Paper Office. Only a limited number remained from the previous printing, but others would be printed as soon as possible. He would wish, however, to remind their Lordships that the proposals were only provisional and intended for the purpose of discussion. It was, therefore, desirable that any representations founded upon those proposals should be submitted to the Local Government Board with the least possible delay. There was another point he desired to mention. A general opinion was expressed on both sides of the House that power should be given to the County Councils to apoint Deputy Chairmen as well as Chairmen. He was not able to accept the proposal last night, but he was now authorized to say that an Amendment would be proposed on the Report stage authorizing each County Council to appoint a Deputy Chairman as well as a Chairman. There was, however, this difference, that the appointment of a Deputy Chairman should be made from among the Councillors or Aldermen, and that the Council should not, as in the case of the Chairman, be able to look outside their own Body. With respect to the time at which this Bill would come before their Lordships, as the principle was not contested, he hoped, in spite of its great length and importance, that unless something unforeseen arose, their Lordships would do as the other House of Parliament did, and would take the third reading at the same time as the Report stage.

PRIVATE BILL LEGISLATION — THE STANDING ORDERS.

THE CHAIRMAN OF COMMITTEES (The Duke of BUCKINGHAM and CHANDOS)

said, he had to ask their Lordships to make some Amendments in the Standing Orders relating to private legislation. The Orders, as amended, had been printed and circulated, and the Amendments also. The Amendments had for their object to assimilate the classification of Bills in certain cases, and to meet the case of the new schemes which had lately arisen—namely, tramroads as distinct from, and in addition to, tramways. Some of the Amendments were directed to the purpose of simplifying the very lengthy and expensive notice which the promoters of a Bill had to give. There was also a proposal to place Private Bills which came from the other House under the same obligation as Bills which originated in their Lordships' House, of being read a second time within seven days of the first reading. The object of that was to prevent the delay which had frequently arisen in getting Committees to work on different groups of Bills, in consequence of some one Bill in a group not having been pressed to a second reading by its promoters. All the changes which he had placed on the Paper were concurred in by the Speaker and the Officers representing the other House of Parliament. In conclusion, he moved the adoption of the Amendments as printed.

Motion *agreed to.*

Standing Orders *considered* and *amended*, and to be *printed* as amended. (No. 260.)

PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER (KIRKLISTON, DALMENY, AND SOUTH QUEENSFERRY WATER) BILL.—(No. 177.)

CONSIDERATION OF COMMONS' AMENDMENTS.

Commons' Amendments *considered* (according to order).

THE CHAIRMAN OF COMMITTEES (The Duke of BUCKINGHAM and CHANDOS) said, the object of the Amendments was to confirm a certain agreement which was not disclosed in that House when the Bill passed through Committee there. It would be contrary to the established practice of that House to allow such a matter to be done by Amendments in the Commons. Their Lordships' House had had no opportunity of considering the particulars of the agreement. Therefore, in accordance with the ordinary practice, he had to move that that House did not agree with the Commons' Amendments.

Moved, "That the House disagree to the Commons' Amendments." — (*The Duke of Buckingham and Chandos.*)

Motion *agreed to.*

A Committee appointed to prepare a reason to be offered to the Commons for the Lords disagreeing to the said Amendments; the Committee to meet *forthwith*; Report from the Committee of the reason prepared by them; read, and *agreed to*; and a Message sent to the Commons to return the said Bill with the reason.

MARRIAGES VALIDATION BILL.

(*The Lord Chancellor.*)

(NO. 256.) SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR (Lord HALSBURY), in moving that the Bill be now read a second time, explained that its object was to remove any doubts which might exist as to the validity of certain marriages performed by a person who pretended to be a clergyman, who professed that he had taken Orders in the Church of Rome, and who was in consequence received into the English Church. This person obtained a benefice and performed marriages in the parish. Grave doubts had been entertained as to the validity of these marriages, and consequently it was thought desirable that a special Act of Parliament should be passed.

Moved, "That the Bill be now read 2ª." —(*The Lord Chancellor.*)

Motion *agreed to*; Bill read 2ª accordingly; Committee *negatived*; then Standing Order No. XXXV. *considered* (according to order), and *dispensed with*; Bill read 3ª, and *passed*, and sent to the Commons.

SCOTLAND—THE ANTIQUARIAN MUSEUM AND NATIONAL PORTRAIT GALLERY.—QUESTION.

THE EARL OF ROSEBERY asked the Secretary for Scotland, If he will lay on the Table of the House Papers and Correspondence relative to the removal of the Scottish Museum of Antiquities?

THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN), in reply, said, that the Papers and Correspondence in question would be laid on the Table in the shortest possible time.

LORDS OF PARLIAMENT—GRANTS TO PEERS, &c.

MOTION FOR A RETURN.

LORD MONKSWELL, in moving for a Return showing the names of all present Lords who are in receipt of public money from the National Exchequer, whether in the form of salary, pay, pension, or allowance of any kind, or who have received commutation in respect thereof under the Commutation Acts, said, he would remind the House that on the 9th of July a similar Return in relation to the House of Commons was moved for and granted. It had been suggested in their Lordships' House that *The Financial Almanack* was somewhat inaccurate with regard to the pensions and emoluments of Members, and if that were so it was a reason why the Return should be granted.

Moved, That there be laid before the House,

"Return showing the names of all present Lords of Parliament who are in receipt of public money from the National Exchequer, whether in the form of salary, pay, pension, or allowance of any kind, or who have received commutation in respect thereof under the Commutation Acts, with separate columns showing the amounts they receive or have commuted, with the amount of the commutation money, and the name of the office or nature of the service for which the money is or has been paid."—(*The Lord Monkswell.*)

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK) said, the Motion seemed rather invidious; but as he understood that the House of Commons had passed a similar Resolution with regard to its Members, there was no intention to oppose the Return.

Motion *agreed to.*

BUSINESS OF THE HOUSE.

Standing Order No. XXXV. to be considered on *Thursday* next in order to its being dispensed with during the present sittings of the House.—(*The Marquess of Salisbury.*)

House adjourned at a quarter before Five o'clock, to Thursday next, a quarter past Two o'clock.

HOUSE OF COMMONS,

Tuesday, 7th August, 1888.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Municipal Funds (Ireland) * [371].
First Reading—Marriages Validation * [370].
Re-Committed—Public Health Acts Amendment (Buildings in Streets) [255]—R.P.
Considered as amended—Members of Parliament (Charges and Allegations) [336], *further proceeding adjourned;* Consolidated Fund (No. 3).
Withdrawn—Moveable Abodes * [200].

Message to attend the Lords' Commissioners;—

The House went;—and being returned;—

Mr. Speaker *reported* the *Royal Assent to* several Bills.

QUESTIONS.

—o—

THE NATIONAL LIBRARY FOR IRELAND.

DR. TANNER (Cork Co., Mid) asked the Secretary to the Treasury, How soon will the National Library for Ireland be in a condition to receive the books; whether it will be ready to receive the overflow from the present cramped quarters early next year; and, whether the whole wing next Kildare Street will be completely finished, as suggested by Mr. Archer, the Librarian?

THE VICE PRESIDENT OF THE COUNCIL (Sir WILLIAM HART DYKE) (Kent, Dartford) (who replied) said: I am informed that the National Library will be in a condition to receive the books in October, 1889; and it is doubtful whether the overflow from the present Library can be placed in it before that date. The whole wing next Kildare Street will, I am informed, be completely finished.

BANKRUPTCY OR DEBTORS ACTS—FAILURE OF MESSRS. GREENWAY, WARWICK.

MR. COBB (Warwick, S.E., Rugby) asked the President of the Board of Trade, Whether, in the bankruptcy of Messrs. Greenway, the bankers, of Warwick and Leamington, there was

upon the books of the bank undoubted and ample evidence that, for many years after the bankrupts knew that they were insolvent, they continued to carry on business and received hundreds of thousands of pounds from the public, a great part of which had either been spent by the bankrupts or lost by them in reckless speculation; whether, in the recent prosecution of the Messrs. Greenway, any general charge in respect of such practices was included in the indictment in addition to the special counts for fraud; and, whether such practices constitute an indictable offence under the Bankruptcy or Debtors Acts; and, if not, whether he will introduce a Bill early next Session to strengthen the law, so that in future bankrupt debtors who, after knowledge of insolvency, have continued to carry on business, and have in doing so lost the money of their creditors in rash and hazardous speculation, or used it for unjustifiable expenditure in living, may be dealt with under the Criminal Law?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.): The question whether these bankrupts carried on business after knowledge of insolvency is one which will come before the Courts if the bankrupts apply for their discharge. No charge in respect of such a practice was included in the indictment against them in the recent prosecution; because, as I am advised, no such charge could be sustained under the criminal provisions of the Bankruptcy Act. The point will be considered in connection with any future amendment of the Bankruptcy Law.

MR. COBB asked, whether the right hon. Gentleman proposed to bring in a Bill next Session to amend the law?

SIR MICHAEL HICKS-BEACH: I cannot make any promise of that kind.

COAL MINES, &c. REGULATION ACT, 1887—CLAUSE 12.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the Secretary of State for the Home Department, Whether the case mentioned by him on May 10 as throwing doubt on the application of Clause 12 of "The Coal Mines, &c. Regulation Act, 1887," has yet been decided; and, whether he now holds that the Weighing Clause of that Act is universally and unconditionally operative, except as specified in that Act itself?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): No, Sir; the special case has not yet been decided. It has been drafted, and is now being settled by Treasury counsel, and will then be submitted to the other side. It will, I presume, be argued in November. Subject to the decision in this case, my answer to the second paragraph is in the affirmative.

WAR OFFICE — MANUFACTURE OF WOOLLEN FABRICS FOR THE ARMY AND NAVY.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Secretary of State for War, having regard to the fact that Government are stated to be consumers of 2,000,000 yards of woollen fabrics for the Army and Navy, the raw material of which, after arriving in London Docks, was carried to the North of England and brought back to London, when the labour on the spot could have been utilized for its manufacture, and thousands of unemployed men furnished with work, Whether the Government would grant a contract extending over a period of years to anyone undertaking to manufacture these woollen goods in the East End of London, and create a new industry for the employment of the surplus labour there?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): These contracts are advertised yearly, and if any London manufacturer, with the advantages pointed out in the Question, can tender at a lower price than is paid at other places, I shall be quite ready to consider favourably his application; but I cannot sacrifice the advantage to the country of frequent competition by making a contract extending over a period of years.

CRIME AND OUTRAGE (IRELAND)—THE ROMAN CATHOLIC CHURCH AT DONARD, CO. WICKLOW.

MR. BYRNE (Wicklow, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that the Roman Catholic Church at Donard, County Wicklow, was some days ago decorated with Orange lilies at dead of night, the doors chalked with Orange texts, and the chapel bell rung

at dead of night; whether he is aware that the Orange parochial meeting room is also the National School at Donoughmore, County Wicklow; and, whether any steps are being taken to bring the perpetrators of this outrage to justice?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Constabulary Authorities report that a bunch of Orange lilies was recently suspended at night on a door of the Roman Catholic church at Donard; that the bell also had been rung; but that no text had been chalked upon the doors. They further report that the Orange meeting room is not also the National School at Donoughmore, but that they adjoin each other. The police have the matter still under investigation, with a view to discover the guilty party.

MARRIAGES (SCOTLAND) — EXACTION OF EXCESSIVE MARRIAGE FEES.

MR. PHILIPPS (Lanark, Mid) asked the Lord Advocate, What use the clerks of Kirk Sessions have made of the sums they have obtained in various parishes of Scotland by their exaction of the excessive fee of 10*s.* for publishing the banns on a single Sabbath?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I have no knowledge of the use that any individual clerk of Kirk Sessions has made of the sums collected. I am informed that these sums go *pro tanto* to meet the expenses connected with the proclamation of banns and the salaries of the session clerks.

INLAND REVENUE—INCOME TAX ACT —ROYAL UNIVERSITY OF IRELAND.

DR. TANNER (Cork Co., Mid) asked Mr. Chancellor of the Exchequer, Whether the Board of Inland Revenue has refunded the Income Tax (amounting to £583 6*s.* 8*d.*) on the sum of £20,000 paid to the Royal University of Ireland by the Irish Land Commission, under section 1 of the Act; whether the same demur was made last year; and, why such demur has been made?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): The Inland Revenue has refused repayment of the Income Tax for 1886-7 on the sum of £20,000 paid to the Royal University of Ireland by the Land Commission. The reason for such refusal, which was made for the first time last year, is that the Courts have decided that the clauses in the Income Tax Acts, on which the Royal University bases its claim for repayment, do not cover funds devoted to educational purposes, but apply only to funds devoted to the relief of the poor. The Inland Revenue is, of course, bound by this decision.

WAR OFFICE—A RIFLE RANGE AT HARWICH HARBOUR.

MAJOR RASCH (Essex, S.E.) asked the Secretary of State for War, If it is the fact that the War Department have obtained powers to buoy off a large portion of the eastward sea approach to Harwich Harbour for a rifle range?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): A portion of the eastward sea approach to Harwich Harbour falls within the sea area within which vessels are not allowed to fish or needlessly anchor while firing is going on at the Landguard rifle range, though they may freely cross it on their way to or from Harwich Harbour. This sea area is defined by existing buoys and by beacons on shore.

NATIONAL EDUCATION (IRELAND)— RELIGIOUS INSTRUCTION IN THE GOVERNMENT COLLEGE.

MR. BIGGAR (Cavan, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If almost all the National Schools in Kerry, and the portion of Cork immediately adjoining, received during training in the Government College religious instruction from the model school teachers; and, if these are almost the only teachers in the country who, during training, received religious instruction in this way?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Commissioners of National Education inform me that such of the teachers as were trained since the Roman Catholic clergy ceased to attend at the Training College received, as already stated in reply to a Question put by the hon. Member some days ago, most careful religious instruction from the head teachers of the central model schools, who are Roman Catholics, and also regularly attended the instruction and religious

ministration in the Roman Catholic Church, with regard to which extensive arrangements exist. The Commissioners also state that the facts are not as represented in the last paragraph; but that all the Roman Catholic students throughout Ireland have received religious instruction in the same way and to the same extent.

LAND LAW (IRELAND) ACT, 1887—PERSONS EVICTED AND REINSTATED.

MR. MAHONY (Meath, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in future Returns, he will revert to the custom of giving the number of persons evicted and reinstated as caretakers on the day of eviction; and, whether he will also give the number of caretakers other than those created under section 7 of the Land Act of 1887, who may be removed from their holdings by writ, warrant, or decree?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have adopted a suggestion made to me by the hon. Member, and have directed that the information he asks for in the first paragraph shall, in future, be included in the Return. I am afraid that there is no authentic information in possession of the police which would enable me to comply with the request contained in the second paragraph.

MR. MAHONY asked, whether no record was kept of the writs or warrants? He only asked for the numbers turned out of their holdings by writ or warrant.

MR. A. J. BALFOUR believed that no record was kept of the kind referred to by the hon. Gentleman. The information he had was obtained from the police, who were called in to protect the Sheriff's officers and watch the proceedings.

LAW AND JUSTICE (IRELAND)—OATHS OF JURYMEN.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) (for Mr. T. M. HEALY) (Longford, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the following from *The Belfast Morning News* of June 25:—

"Monaghan, Saturday.

"This morning County Court Judge Wm. N. Barron, Esq., Q.C., took his seat in the Crown Court, for the purpose of disposing of the criminal business of the Sessions.

"During the swearing of the jury, Mr. James Fitzpatrick, Dromard, Clones, when called to be sworn, refused to be sworn on the Protestant Bible on conscientious grounds.

"Mr. Johnston (Registrar): Do you refuse to be sworn?

"Mr. Fitzpatrick: Yes.

"His Honor: Well, I fine you £2;"

whether this fine has been, or will be, enforced, and under what powers Judge Barron imposed it; and, what is the age of this Judge?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said, he had not seen the report in the paper referred to, and he had no information as to the matters of fact. As to the last paragraph, he understood that Mr. Barron was called to the Bar in 1830.

MR. SEXTON asked, whether instructions had not been issued to the Courts that Roman Catholics desirous of being sworn on a Roman Catholic Bible should have that Bible presented to them; whether the Court was not obliged to have a Bible which would make the oaths binding on the consciences of witnesses; and, whether this County Court Judge was not the man who had sentenced a prisoner to death for stealing a goat?

MR. JOHNSTON (Belfast, S.) asked if this gentleman was not a Roman Catholic?

MR. MADDEN said, the explanation of the Judge might differ entirely from the statements which appeared in the report.

MR. SEXTON: Have the Government power to compel the remission of the fine of £2 imposed on a Catholic for insisting that he should be rightly sworn?

MR. MADDEN: Assuming that the fine has been imposed, I do not think the Executive have any power to interfere in the matter.

PUBLIC HEALTH—TUBERCULOSIS IN CHILDREN—DR. WOODHEAD'S LECTURE.

MR. ESSLEMONT (Aberdeen, E.) (for Dr. FARQUHARSON) (Aberdeenshire, W.) asked the President of the Local Government Board, Whether, considering the alarming statement recently made by Dr. Sims Woodhead and others with reference to the communication of

consumption to the human subject from the milk of cows suffering from tuberculosis of the udder, he will direct an investigation to be made into the subject by the medical officers of his Department?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): An investigation of the question whether consumption may be communicated to the human subject from the milk of cows suffering from tuberculosis of the udder would occupy much time and labour, and such an investigation could not be undertaken by the present medical staff of the Local Government Board. The Department has, however, for some time past been, and will continue to be, on the watch for any evidence of the communication of disease to human beings by the milk of tuberculous cows. Little or no evidence of this transmission reaches the Board from English sanitary observers.

THE FINANCIAL RESOLUTIONS—ALLOCATION OF £127,000 IN RELIEF OF LOCAL TAXATION (IRELAND).

MR. FINUCANE (Limerick, E.) asked Mr. Chancellor of the Exchequer, Whether, before allocating the surplus of £127,000 to the reduction of local taxation in Ireland, he would consider if the object in view would be best attained by his applying the sum in question to the reduction of the rent of the labourers' cottages built under the Labourers (Ireland) Acts, as it would, whilst relieving the labourers who are the poorest class in Ireland, have also the effect of reducing local taxation for the payment of which both occupier and owner are liable?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): The object of the surrender of a portion of the Probate Duty was to relieve local taxation equably over the different parts of Ireland. The application of the £127,000 in the manner suggested by the hon. Member would evidently be very inequitable as between district and district. Whatever principle of distribution is adopted the relief granted should, I think, be in proportion to some expenditure which is general over the whole country and to which all districts are liable, and this view is fully shared by my right hon. Friend the Chief Secretary.

POST OFFICE—CENTRAL TELEGRAPH CLERKS — THE BANK HOLIDAY, AUGUST 6.

MR. M'CARTAN (Down, S.) asked the Postmaster General, Whether he is aware that several clerks employed at the Central Telegraph Office were "drawn off" duty for the Bank Holiday on August 6, and were subsequently asked to forego their holiday and to perform duty at Tunbridge Wells; whether, with one exception, they declined to do so, whereupon their holiday was cancelled, and all of them were placed on duty from 2 p.m. to 10 p.m. on that day, although a number of them were entitled, in the ordinary course, to have been placed on early duties; whether putting these clerks on later duties was intended as a punishment for their unwillingness to give up their holiday; whether another holiday will be given to them in lieu of Monday the 6th instant; and, whether he will take into consideration the desirability of taking advantage of the present dull season for giving a day's holiday to those clerks who have not been favoured with a holiday this year?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): In reply to the hon. Member, I have to state that when arrangements for releasing a portion of the staff of the Central Telegraph Office on Bank Holiday were made it was not known that it would be necessary to send so large a number of telegraphists to Tunbridge Wells. When this requirement became known it was necessary to suspend the holiday of a certain number of telegraphists in order to provide for the duties both at Tunbridge Wells and the Central Telegraph Office. The meeting was held in the afternoon; and consequently it was necessary to place the telegraphists on duty between the hours mentioned when the messages would be telegraphed. The telegraphists thus exceptionally employed on Monday last will be granted a holiday upon some other day in lieu thereof; but, so far from the present time being the dull season, it is the period of the year in which telegraphic business reaches the highest point.

IRISH LAND COMMISSION — SITTING IN LIMERICK.

MR. FINUCANE (Limerick, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, When will the

Land Commission again sit in Limerick to hear fair rent applications from that county; what is the number of applications from that county awaiting hearing; and, is it a fact that at the last sitting of the Commission in Limerick several fair rent applications were listed and heard, though the originating notices were not served as early as in many cases not yet listed; and, if so, will the Land Commission in the future direct that the originating notices shall be listed according to priority of service?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me that they are unable at present to fix the date of the next sitting of a Sub-Commission in the County of Limerick. The number of cases awaiting hearing in that county is 1,968. They further state that it is not the fact that several fair-rent cases were listed out of their turn. The Commissioners invariably have the cases listed in their priority of service unless the case be a very urgent one, through an eviction being pending or other special circumstance.

MR. M'CARTAN asked, whether it was not a fact that a County Down case had been listed for hearing out of the order in which the originating notices had been served?

MR. A. J. BALFOUR said, he could not answer the Question without Notice.

PRISONS BOARD (IRELAND) — DR. MOORHEAD AND VISITING JUSTICE OF TULLAMORE PRISON.

MR. MAC NEILL (Donegal, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to a letter from Dr. Barr to the late Dr. Ridley, dated December 12, 1887, read at the Coroner's Inquest to inquire into Dr. Ridley's death, in which the following passage occurs:—

"My Dear Ridley,—I had a long talk with Mr. Bourke this evening. I called his attention to Dr. Moorhead. He says the difficulty the Lord Chancellor has with him is that there is no absolute falsehood proved against him;"

is the Mr. Bourke referred to the Honourable Charles Bourke, Chairman of the Prisons Board in Ireland; is the Dr. Moorhead referred to a medical doctor who, in his capacity of Visiting Justice of Tullamore Prison, reported on the condition of the late Mr. John Mandeville during his imprisonment; and, whether any communication from the Honourable Charles Bourke has been received by the Lord Chancellor of Ireland recommending the removal of Dr. Moorhead from the Commission of the Peace in consequence of his action in reference to Mr. John Mandeville; and, if so, what reply has been given by the Lord Chancellor?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): With respect to the inquiries in the first three paragraphs in the Question, I have not seen any authentic copy of the letter referred to; nor even if I had would it be proper for me to make any statement bearing on the evidence given at the inquest which is still proceeding. I am informed that the reply to the inquiry in the last paragraph is in the negative.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, whether the right hon. Gentleman would inquire whether Dr. Barr, his agent, had at a private interview suggested to the Chairman of the Prisons Board that he should move the Lord Chancellor to remove Dr. Moorhead from the Commission of the Peace for discharging his duty as a Visiting Justice?

MR. A. J. BALFOUR said, he had not the slightest reason for believing that Dr. Barr had done anything of that kind, and he must decline to inquire as to private conversations.

MR. MAC NEILL asked, whether Mr. Bourke, the Chairman of the Prisons Board, did not occupy a position from which he was removable at the pleasure of the right hon. Gentleman?

MR. A. J. BALFOUR believed that he held his position on exactly the same tenure as any other Civil servant.

MR. MAC NEILL: Was that not at the will and pleasure of the right hon. Gentleman?

MR. A. J. BALFOUR: No, Sir; that would be an inaccurate description of the position of a Civil servant.

EAST INDIA (HYDERABAD-DECCAN MINING COMPANY)—THE REPORT—PREMATURE PUBLICATION.

MR. WOOTTON ISAACSON (Tower Hamlet's, Stepney) asked the Secretary to the Treasury, Whether he will make an application to the proprietors of *The*

Times newspaper for the name of the person or persons who communicated to that paper the contents of the Report of the Hyderabad Deccan Committee before the said Report had been officially placed upon the Table, in order that the Government may deal with the offenders?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): The paragraph in question appeared in other papers as well as *The Times*, and seems to have emanated from the Press Association. I do not think that it would be for the public interest that the steps which are being taken in the matter should be published.

COURT OF CHANCERY—PAYMENTS BY CROSSED CHEQUES.

SIR JOHN SIMON (Dewsbury) asked the Secretary to the Treasury, Whether, notwithstanding complaints made by the public, the practice is still continued by the Paymaster of the Court of Chancery of paying by cheques crossed without the knowledge or consent of the payee; and, whether he will give directions that applications to be paid in cash shall be complied with?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): The use of crossed cheques in the Pay Office of the Supreme Court appears to me to be not only convenient as a general rule, but necessary for safety. A discretion is left to the Assistant Paymaster General to comply with applications for open cheques. Every consideration is given to such applications; and I may say that since January 1, 1888, 555 cheques have been issued uncrossed for amounts between £20 and £50, and 62 for amounts over £50.

PUBLIC PETITIONS — PETITIONS AGAINST SUNDAY CLOSING — ALLEGED FRAUDULENT SIGNATURES.

SIR WILFRID LAWSON (Cumberland, Cockermouth) asked the hon. Member for Walsall, as Chairman of the Committee on Public Petitions, Whether the Committee intend to take any steps, beyond reporting the matter in their Seventeenth Report, with regard to four Petitions against Sunday closing, purporting to be signed by upwards of 37,000 persons, but concerning which the Committee report that, in their opinion, many of the names are in the same handwriting, and that the Orders of the House have not been complied with?

SIR CHARLES FORSTER (Walsall), in reply, said, that the Committee did not propose to take any further steps in the matter.

METROPOLITAN POLICE—SUNDAY DUTY.

MR. O'HANLON (Cavan, E.) asked the Secretary of State for the Home Department, Whether it is a fact that some London policemen have been so engaged for the last six weeks that they have not got to their several churches for that period; and, if so, whether he will call the attention of the Chief Commissioner to the grievance complained of?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the Commissioner of Police that he is not aware of any such cases having occurred. If the hon. Member will give me particulars I will have further inquiry made.

MR. O'HANLON: Will the right hon. Gentleman guarantee that the policemen shall not be dismissed?

MR. MATTHEWS: They shall not be dismissed for mentioning any such grievance as that referred to by the hon. Member.

LAW AND POLICE (METROPOLIS)—LISSON GROVE—GANGS OF ROUGHS.

SIR JULIAN GOLDSMID (St. Pancras, S.) asked the Secretary of State for the Home Department, Whether his attention has been drawn to the numerous cases of assault and robbery by gangs of roughs from Lisson Grove, and other parts; and, whether he will see that steps are taken to put a stop to them?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the Commissioner of Police that there have been three cases lately of disturbances in this locality. In all cases arrests have been made. Active steps will be taken by the police to put a stop to disturbances as far as possible.

SIR JULIAN GOLDSMID asked, whether the right hon. Gentleman knew that a man had been attacked and robbed of his watch in Fitzroy Square in the middle of the afternoon?

MR. MATTHEWS said, he had not heard of that case; but he did not con-

sider Fitzroy Square as included in the area referred to by the Question on the Paper.

METROPOLITAN POLICE—CASE OF JOHN HUNT.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Secretary of State for the Home Department, If his attention has been directed to the case of John Hunt, late of the Metropolitan Police; and, if he will take into consideration the desirability of allowing him some small pension?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.), in reply, said, that the case had been under consideration by successive Secretaries of State, and he saw no reason to depart from the decision arrived at by them—namely, that it was not a case for granting a pension.

METROPOLIS—STORM FLOODS AT PRIMROSE HILL.

MR. LAWSON (St. Pancras, W.) asked the First Commissioner of Works, Whether he is aware that the ground at the foot of Primrose Hill is again flooded, for the second time this year; and, whether he will direct that proper subsoil drainage be carried out, to prevent the frequent occurrence of this nuisance and danger?

SIR HERBERT MAXWELL (A LORD of the TREASURY) (Wigton) (who replied) said: A drain got choked under the road last week; but it has been cleared since last Saturday. The subsoil drainage has nothing to do with the case.

NAVY—THE NAVAL MANŒUVRES—THE ESCAPED CRUISERS.

MR. CAMPBELL-BANNERMAN (Stirling, &c.) asked the First Lord of the Admiralty, Whether he is aware that, in supposed connection with the Naval Manœuvres now going on off the West Coast of Ireland, H.M.S. *Calypso* and H.M.S. *Spider* have, during the last few days, been engaged in visiting certain towns, mostly watering places, on the West Coast of Scotland and the Firth of Clyde, which, with much mock formality, they have "captured;" and that in particular H.M.S. *Spider*, under the command of Lieutenant Foley, on Sunday last, appeared off the town of Greenock, and during the hours of Divine Service kept up a heavy fire of her guns by way of playing at bombardment; whether any useful lesson whatever is taught to the officers and seamen of the Fleet in these proceedings; and, whether the Board of Admiralty will order the discontinuance of such proceedings, as causing needless disturbance and inconvenience to the inhabitants of the places visited, without any advantage to the Naval Service of the country?

ADMIRAL FIELD (Sussex, Eastbourne): Before the noble Lord answers the Question, may I ask him whether he would not rather commend the commanders of the ships for the zeal and cleverness they have displayed in capturing these towns, and thus bringing home to the minds of Scotchmen in particular the facility with which their towns and harbours can be bombarded, and their property destroyed, unless the supremacy of our Navy is maintained by an increase of its strength?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The main object of the Naval Manœuvres is to test, as far as it is practicable, the damage that hostile cruisers might be able to effect on our commerce and littoral towns in the event of war. The *Calypso* and *Spider* are presumably following the orders of the Admiral commanding the hostile Squadron in harrying the coasts wherever it is possible. Though I regret that any firing in the vicinity of Greenock should have occurred during the hours of Divine Service, I consider that it is for the benefit of the Public Service that these manœuvres should continue as begun, for it is certain that much valuable information will result from them. The officers and men engaged in the manœuvres have, with alacrity and zeal, borne the discomfort and fatigue of a fortnight's blockade in rough weather; and they ought not to be grudged the firing of a few rounds of blank cartridge to signalize their successful performance of the duties entrusted to them.

MR. CAMPBELL-BANNERMAN: Will the noble Lord say whether, as I have put it, any useful lesson is taught to the officers and seamen of the Fleet by these proceedings; whether they at all realize the actual conditions of things in a state of war; whether it is likely

that any probable enemy would proceed to the bombardment of an absolutely defenceless town; and, whether in time of actual hostilities, such a town as Greenock would have to be defended? I would also ask, whether the noble Lord regards it as part of the object of these Naval Manœuvres to teach lessons not only to the Admiralty and the officers and seamen of the Fleet, but to the Civil population of British towns?

ADMIRAL FIELD: Will the noble Lord also say whether we are not supposed to be in a condition of war; and whether, therefore, it is not the duty of the Navy to disregard days of the week, and to think only of the defence of the country?

LORD GEORGE HAMILTON: The right hon. Gentleman has put to me a number of hypothetical Questions which I obviously cannot answer. Whether our littoral towns, which are not defended by fortifications, would be free from attack in a time of hostilities is a question which the enemy alone can answer. One object in firing guns when a cruiser approaches a town is to denote the time at which it arrives opposite the town; for one of the Rules laid down is that, unless a crusier happens to be opposite a town at a certain time, it is not to be understood as having taken it. The guns are fired to denote the exact time at which a vessel arrives. I believe that most valuable lessons will be taught to the Naval Service, as well as to the Civil population. I am glad to find that the view which the right hon. Gentleman takes is not shared by the Scotch populations; for I find it reported that at the neighbouring town of Ardrossan—

"The manœuvres were witnessed by a large number of the people of the town, who considered it was a complete victory for their forces, and warmly cheered the Coastguards for saving the town."

MR. CALDWELL (Glasgow, St. Rollox): The noble Lord says he cannot answer a hypothetical Question. Will he answer this practical Question—Whether the Government have learnt any practical lesson from what is taking place, and would see their way to put the Clyde in a proper state of defence?

SIR WILFRID LAWSON (Cumberland, Cockermouth): I would ask the noble Lord to state, if he can, what the country will have to pay for all these absurdities?

LORD GEORGE HAMILTON: The cost will be comparatively small; and I think there is no part of the expenditure connected with the Naval Service which is more beneficial than teaching the men how to use the vessels and guns with which they are entrusted.

LAW AND JUSTICE—CASE OF CATHERINE MORGAN.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Secretary of State for the Home Department, Whether his attention has been drawn to the following remarks, made by Mr. Justice Hawkins in the course of the trial of Catherine Morgan at the Old Bailey on Friday last:—

"I regret that a police officer should have gone without a warrant and have taken the girl in the middle of the night to the police station. I also regret that the surgeon should have made an examination of the girl at midnight, in the absence of any female relative, when a delay till the morning could not have been productive of much harm. I consider that there has been harshness and severity in the treatment this poor girl has received which amounts to positive cruelty, and I trust that this is the last time I shall ever hear of such conduct.

By whose order did the police officer arrest the girl; and, what steps he proposes to take with reference to the action of the police surgeon of the Division above mentioned?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have made inquiry into this matter, and am informed by the Commissioners of Police that the police, having received information of circumstances which would probably result in the girl being charged with child murder, the Inspector in charge of the case gave directions for her arrest. The police were afraid the girl might commit suicide or escape, and therefore they felt it their duty to lose no time in arresting her. She was dressed when the officers went to the house, and denied that she was ill or had had a child. She was taken in a cab to the station, though she expressed her willingness to walk. She consented to the surgeon's examination, which was conducted in the presence of a female searcher. She then admitted that she had had a child, and was at once sent to the infirmary. Neither the girl herself nor any of her relatives have made any complaint as to her treatment. The examination of the girl might certainly

have been postponed till the morning; and I have so informed the divisional surgeon; but the police thought that they would not be justified in detaining her in the face of her denials unless the fact of her recent delivery were established.

MR. T. P. O'CONNOR (Liverpool, Scotland) asked, whether it would not have been more desirable that the surgeon should have been brought to the girl, so that the examination might have been made before she was removed at all?

MR. MATTHEWS said, that if the result could have been foreseen no doubt it would have been the better course. The officer engaged was a man of experience, who could not be suspected of personal ill-treatment; and in difficult circumstances he only acted upon the denials that the girl made. If she had admitted the truth, no doubt, the officer would have acted differently.

COAL MINES, &c. REGULATION ACT, 1887—SECTION 80 — REFUSAL OF CERTIFICATE TO TITUS SPRUCE.

CAPTAIN HEATHCOTE (Staffordshire, N.W.) asked the Secretary of State for the Home Department, If he has received reliable certificates of the fitness of Titus Spruce to receive a second-class certificate under Section 80 of "The Coal Mines, &c. Regulation Act, 1887;" and, if so, on what grounds the certificate has been refused?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; I have lately received such certificates. They are at variance with the Report made to me by the Inspector of Mines, that the applicant had not acted as under-manager for the period prescribed by the Act, on which ground the certificate was refused. I have requested the Inspector to inform me at once on what grounds he reported Spruce not to have acted as under-manager.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—THE BOUNDARY COMMISSIONERS.

MR. H. GARDNER (Essex, Saffron Walden) asked the President of the Local Government Board, Whether the maps showing the proposed alterations of the Boundary Commissioners will be placed in the Library of the House before its adjournment?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's), in reply, said, that the Local Government Board had received the complete Report of the Boundary Commissioners, together with a map showing the alteration of boundaries, and he proposed to put them in the Library of the House on Wednesday.

LAND LAW (IRELAND)—MR. HUGH FERGUSON.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the case of Mr. Hugh Ferguson, Chairman of the Newtownards Farmers' Association, whom the Lord Lieutenant is proceeding against by writ of summons for the recovery of the old rent, pending the fixing of his fair rent, Whether he is aware that Mr. Ferguson offered to leave his question of rent to the arbitration of the Lord Lieutenant's estate valuator, and another person appointed by the tenant, and this offer was rejected; whether he can now state what relief he proposes to give to Mr. Ferguson, to the tenants on the Downshire Estate, and to the hundreds of other tenants who are still called upon to pay the old rents while entitled to the benefits of the fair rents; and, whether he is aware that, in some cases where the tenants have appealed against the decision of the Sub-Commissioners, the landlords have since served notices of eviction in order to deprive the tenants of their right to appear before the Land Commission on appeal?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have no knowledge of the matters of fact referred to in this Question. But the existing law affords ample relief against any case of possible hardship; inasmuch as the Court before which the proceedings against the tenant would come has full power, if it sees that the case is one calling for the exercise of that power, to direct the stay of all proceedings pending the hearing of the fair rent applications. As to the last paragraph of the Question, it is the case that a tenant cannot evade the obligation of paying a judicial rent fixed by the Sub-Commissioners merely by lodging an appeal. The tenant can put a stop to any ejectment proceedings by paying his judicial rent. If the lodging of an appeal were to operate to suspend the payment of

rent, and were to deprive the landlord of all means of enforcing it, it is probable that the number of appeals would be equal to the number of decisions of the Sub-Commissioners.

MR. M'CARTAN asked, whether the right hon. Gentleman had made any inquiry as to the first paragraph; and, also, whether he was aware that landlords had exacted, and were exacting, the old rents, pending the hearing of applications to have fair rents fixed; and, also, what the right hon. Gentleman meant by asking him on a previous occasion to supply him with the names of such cases?

MR. A. J. BALFOUR: I do not gather that any tenant is being evicted for non-payment of the old rent. None or very few such cases have come under my notice. If the hon. Member can supply a case of a tenant actually turned out of his holding for non-payment of the old unabated rent I shall be glad to consider it.

MR. M'CARTAN said, he was quite prepared to supply any number of cases of the kind.

LAW AND JUSTICE (IRELAND)—IRREGULAR CONVICTION AT THE WICKLOW ASSIZES.

MR. BYRNE (Wicklow, W.) (for Mr. W. J. CORBET) (Wicklow, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If His Excellency has received a Memorial for the release of the 10 men who were convicted at Wicklow on July 28 by a jury not selected according to law, the Judge having subsequently quashed the array, but stated he was powerless to discharge the prisoners, and that the Executive should be applied to in the matter; and, whether the men have been, or will be, discharged?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Lord Lieutenant has had the case of the prisoners in question before him; and though His Excellency could not recognize the objection on the ground of the panel, by which the prisoners were not in any degree prejudiced, and though the conviction was strictly regular in law, yet in deference to the recommendation of the jury who tried the prisoners, and in view of the improved state of the County Wicklow, His Excellency was of opinion that he could, without detriment to the interests of the law, exercise clemency in favour of the prisoners, and has accordingly ordered their discharge.

WAR OFFICE—ANNUAL ACCOUNTS OF THE ORDNANCE FACTORIES.

MR. JAMES STUART (Shoreditch, Hoxton) asked the Secretary of State for War, with reference to the Annual Accounts of the Ordnance Factories, of which the Return for the year ending March 31, 1887, and ordered to be printed March 27, 1888, has just been delivered to Members of this House, Whether it would be possible in future to have this Return laid upon the Table of the House within less than 12 months after the termination of the period to which it relates; and, whether, when laid upon the Table, it might not, in future, be possible to have it in Members' hands in a less time than four months after it has been ordered to be printed?

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) (who replied) said: It is intended that the balance-sheets of the Ordnance Department shall, in future, be ready much earlier than they have hitherto been; and that they shall be in the hands of Members at least as soon as the Appropriation Account.

MARKETS AND FAIRS (WEIGHING OF CATTLE ACT, 1887).

MR. JEFFREYS (Hants, Basingstoke) asked the President of the Local Government Board, Whether, under "The Markets and Fairs (Weighing of Cattle) Act, 1887," it is necessary to provide weighing machines for those sheep fairs in which tolls are taken where large numbers of store sheep are penned for sale, but no fat sheep or cattle are exposed for sale?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): Section 9 of the Markets and Fairs (Weighing of Cattle) Act, 1887, empowers the Local Government Board, upon the application of the market authority, to exempt any market or fair from the operation of the Act on the ground that the sale of cattle at the market or fair is, or is likely to be, so small as to ren-

der it inexpedient to enforce the provision and maintenance of a place for weighing cattle and of a weighing machine. The Act itself does not in terms recognize any distinction between store and fat cattle; but it has been the practice of the Board when applied to to grant exemption to take into consideration all the circumstances of the case.

INLAND NAVIGATION AND DRAINAGE (IRELAND)—FLOODS ON THE LOWER BANN.

MR. LEA (Londonderry, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware of the fact that, within the last week, a flood in the Lower Bann has destroyed crops of the value of £3,000 to the farmers of that district; if the Bann Drainage Association state that the works to be executed under the Bann Drainage Bill would have prevented such a disastrous loss; and, if it is now impossible to pass a larger Bill this Session, will the Government introduce a small Bill to remove the locks and other hindrances to the free flow of the river, thus saving the district from floods and the annual cost of maintaining a navigation the Royal Commission state to be useless? The hon. Gentleman also inquired, if the right hon. Gentleman had seen the report of a meeting held at Portadown on Saturday last, at which the loss to farmers of the district of the Upper Bann was estimated at £20,000?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have not seen the report alluded to; but I can well believe that both on the Upper and Lower Bann very serious damage may have been caused by the recent floods. There is, as my hon. Friend is aware, little chance of passing any Bill, small or large, dealing with this subject during the present sitting of the House. I am not without hopes of inducing the House to pass this Bill during the Autumn Session.

MR. JOHNSTON (Belfast, S.): Will the right hon. Gentleman consider the propriety of putting up placards in the district, informing the people of the inestimable advantages that are derived by them from the Parnellite Party?

[No reply.]

EDUCATION DEPARTMENT (ART AND SCIENCE DEPARTMENT)—SCIENCE TEACHER FOR HOLYWELL GREEN, HALIFAX.

MR. BRADLAUGH (Northampton) asked the Vice President of the Committee of Council on Education, Whether the Art and Science Department refuses to allow the travelling expenses of a science teacher to the village of Holywell Green, five miles from Halifax, though no duly qualified person is obtainable in that small village to teach a science class; and, if yes, on what ground such refusal is based?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford), in reply, said, he was unable to find any trace of such an application and refusal. If the hon. Gentleman would furnish him with the details he would look further into the matter.

RAILWAYS (INDIA)—GREAT INDIAN PENINSULA RAILWAY COMPANY.

MR. LABOUCHERE (Northampton) asked the Under Secretary of State for India, If he can state why the Bombay Government has refused to sanction the payment of the money voted by the Directors of the Great Indian Peninsula Railway Company to be paid to Messrs. Dewey and Bedford, both Eurasians—namely, Rs.8,000 and 6,000 respectively, as compensation for expenses incurred in defending accusations brought by the Railway Frauds Commission in 1877 and 1878, in which both were honourably acquitted and reinstated in their situations?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): I am informed that the reason why the Government of Bombay, 10 years ago, withheld its sanction to the payments in question from funds under the control of the State was the conduct of Messrs. Dewey and Bedford in failing to repress malpractices of which they ought to have been cognizant; and the other circumstances of the case fully justified their prosecution in India by the agent of the Great Indian Peninsula Railway Company.

INDIA—THE QUEEN'S PROCLAMATION, 1858—EURASIANS AND EUROPEANS.

MR. LABOUCHERE (Northampton) asked the Under Secretary of State for India, Whether, in view of the Queen's Proclamation on assuming the direct government of India in 1858, assuring all her subjects equal rights of employment for all offices they were fitted to fill, the distinction now existing in the Great Indian Peninsula Railway between Eurasian and European will be continued, the distinction being that there are two classes of *employés*, Eurasian and European guards, who do identically the same work, but who are classed, both as regards pay and privileges, on entirely different footings?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The Question seems to be economical rather than political, the object of the Railway Company being to obtain the services of the different classes of officers they require at the cheapest rate. But I understand the subject is receiving the attention of the Board of the Great Indian Peninsula Railway Company.

LAW AND POLICE (IRELAND)—EDWARD O'REILLY, PETTY SESSIONS CLERK, BALLAGHADEREEN, CO. MAYO.

MR. CRILLY (Mayo, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Edward O'Reilly, Petty Sessions Clerk, of Ballaghadereen, County Mayo, has been in the habit of lodging with the local police since last November periodical allegations that outrages have been committed at or near his abode, such alleged outrages ranging from injury to fences to the injury of cattle; whether, in consequence of these alleged outrages, O'Reilly made a claim for compensation, which was to have been urged at the last two Presentment Sessions of the district; whether it is known that the ratepayers of the district were compelled to go to expense and trouble in making preparations to resist this claim, and that, although two Presentment Sessions have passed, O'Reilly has made no effort to sustain his charges; whether inquiries will be made to discover if the claim has been dropped altogether; and, whether O'Reilly has been reprimanded by the Registrar of Petty Sessions Clerks; and, if so, will the Government consider whether, under the circumstances, he is a fitting person to hold the office he now occupies?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, the Inspector General of Constabulary reported that in November last the tails of two of Mr. O'Reilly's cows were cut off and a large quantity of his turf scattered about. In February last a cow belonging to another man was killed. About five months ago Mr. O'Reilly complained of his fences having been thrown down, and he did swear information for the purpose of seeking compensation. Some ratepayers did complain that they were put to expense in preparing to resist this claim. Mr. O'Reilly had decided not further to pursue the case.

SAVINGS BANKS AND GOVERNMENT ANNUITIES ACT, 1887 — THE RULES AND REGULATIONS.

MR. HOWELL (Bethnal Green, N.E.) asked the First Lord of the Treasury, Whether he is aware that the new Rules and Regulations relating to Post Office Savings Banks, under the Act of last Session, were only laid upon the Table of this House on July 10 last; whether such Rules and Regulations have to be before Parliament for 40 days before acquiring the force of law; and, whether steps will be taken, and, if so, what steps, with a view to those Rules and Regulations being rendered valid, should the House adjourn before the 40 days expire?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The new Rules and Regulations relating to Post Office Saving Banks were, as stated, only laid upon the Table of the House on the 10th ultimo; but I am informed that it is only a Prorogation, and not an Adjournment, that would render the Rules invalid; if the sittings were suspended before the prescribed period had elapsed the 40 days required by the Act will run on interruptedly during the time over which the House stands adjourned.

MR. HOWELL asked, whether, if similar Rules were laid upon the Table on the last day before the adjournment, the transaction would command the right hon. Gentleman's approbation?

MR. W. H. SMITH replied that such a course would be an unfair use of the power of the Department that issued the Rules, and would not be attempted.

CORN AVERAGES—"OFFICIAL AVERAGE PRICE OF CORN."

MR. H. GARDNER (Essex, Saffron Walden) asked the First Lord of the Treasury, Whether the expression "Official average price of corn," in the Reference to the Corn Average Committee, means the official average which governs the variation of the tithe rent-charge, or an average price of corn taken for purely statistical purposes?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The terms of the Reference to the Corn Average Committee were drafted by the hon. Member for Shropshire, who moved for that Committee, and can best be interpreted by him; but the hon. Member is doubtless aware, from the evidence given before the Committee, that these averages are taken for both the purposes stated in his Question.

DIVISIONAL MAGISTRATES (IRELAND)—PROPOSED BILL.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the First Lord of the Treasury, Whether the only object of the proposed Bill respecting the Irish Divisional Magistrates is to regularize the point in connection with their office to which attention has been called by the Public Accounts Committee?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The object of the proposed Bill relative to Irish Divisional Magistrates is correctly stated by the hon. Member.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—TREATMENT OF PRISONERS—FATHER M'FADDEN.

MR. ARTHUR O'CONNOR (Donegal, E.) asked, Whether the Chief Secretary for Ireland was aware of any alteration having been made in the treatment of the Rev. Father M'Fadden in prison; and if it were true that he had been deprived of the use of writing materials and had other restrictions placed upon him; and, if so, why?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, the hon. Gentleman was probably aware that these questions did not come before him. He was not aware of any change whatever in the case; nor did he think that the prison authorities would have a right to deprive Father M'Fadden of any privileges to which he was entitled as a first-class misdemeanant.

MR. ARTHUR O'CONNOR asked, when the right hon. Gentleman would be able to obtain information and answer the Question?

MR. A. J. BALFOUR said, the hon. Member might put the Question on the Paper for Thursday.

BUSINESS OF THE HOUSE.

In reply to Sir WILLIAM PLOWDEN (Wolverhampton, W.),

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, the Indian Budget would be taken before the Autumn Sitting.

SIR WILLIAM HARCOURT (Derby): I should like to ask the right hon. Gentleman, whether he could inform the House as to the Business which he proposed to take during the next few days?

MR. W. H. SMITH: I shall do so as far as I can; but much must depend upon the progress made. If the Members of Parliament (Charges and Allegations) Bill is read a third time to-night we propose that Scotch Business shall be taken to-morrow, and the Indian Budget on Thursday. I do not think I can go further than this at the present moment.

SIR WILLIAM HARCOURT: When will the Amendments of the Lords to the Local Government Bill be taken?

MR. W. H. SMITH: On Friday, if we can get them down in time; if not, on Monday.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): Is the arrangement with regard to Scotch Business being taken to-morrow contingent upon the Members of Parliament (Charges and Allegations) Bill being read a third time to-night?

MR. W. H. SMITH: I should not like to answer that Question definitely. I shall make every effort to adhere to the arrangement with regard to Scotch Business to-morrow.

MR. BAUMANN (Camberwell, Peckham): When will the Metropolitan Board of Works (Money) Bill be taken?

MR. W. H. SMITH: On Friday or Saturday.

MR. HENRY H. FOWLER (Wolverhampton, E.): Could the right hon. Gentleman undertake that the Lords' Amendments to the Local Government Bill shall be taken on Friday? It would be a great convenience to Members to get the Bill disposed of this week.

MR. W. H. SMITH: I shall make every effort to do so. The Amendments will only be able to be printed on Friday morning; but they are not of a character to excite any very great interest.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's): We are making arrangements now by which the Lords' Amendments will be distributed on Friday morning, if the Report stage is agreed to on Thursday night.

MR. HENRY H. FOWLER: Then in that case they can be taken on Friday.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—RELEASE OF MR. LATCHFORD, J.P.—THE DEBATE OF AUGUST 6.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask the Chief Secretary for Ireland, with reference to his contradiction in the debate last night of my statement with regard to Mr. Latchford's release from custody yesterday by the Court of Exchequer, that the Court was of opinion that there was no evidence to sustain the charge of riot against Mr. Latchford, Whether it did not appear in the course of the proceedings, and was not contradicted, that everybody charged, except Mr. Latchford, had been either acquitted by the magistrate or the charge against them abandoned by the police; whether Mr. Latchford was the sole person charged; whether Baron Dowse, in his Judgment, declared that he quashed the conviction because it was impossible for one man to commit a riot; and, therefore, whether the fact is that the Court of Exchequer discharged Mr. Latchford, not only because there was no evidence of the charge against him, but because it was impossible for him to be guilty of the charge?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I gave the hon. Gentleman yesterday the information I had received on the subject. I had not seen the report to which he alludes; but if he will be good enough to put a Question on the Paper I will be glad to answer it.

MR. SEXTON: I desire to ask the right hon. Gentleman whether, assuming that the facts of the case are as I have stated—[*Cries of* "Order!"] This is a personal matter, and I am entitled to a personal explanation. If I cannot put a Question I will move the adjournment. I desire to ask whether, if the facts are as I have stated, the right hon. Gentleman will withdraw the contradiction which he flung across the floor of the House at me last night?

MR. A. J. BALFOUR: If this is a personal question between the hon. Gentleman and myself, of course, if a further investigation of the facts of the case convinces me that in anything I have said in debate, or in answer to Questions, I committed an error, I shall be glad to confess my error, as I am glad to confess any error.

MR. SEXTON: I will put the Question on Thursday.

SITTINGS OF THE HOUSE, EXEMPTION FROM THE STANDING ORDER.

Ordered, That the proceedings on the Members of Parliament (Charges and Allegations) Bill, if under consideration at Twelve o'clock this night, be not interrupted under the Standing Order "Sitings of the House."—(*Mr. William Henry Smith.*)

SIR WILFRID LAWSON (Cumberland, Cockermouth): I intend to move an Amendment on the third reading of the Members of Parliament (Charges and Allegations) Bill. Are we to understand that the right hon. Gentleman proposes to take the third reading to-night?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): Yes; we shall endeavour to do so.

SIR WILFRID LAWSON: Can I move my Amendment if the third reading comes on to-night?

MR. SPEAKER: Certainly.

SIR WILFRID LAWSON: Do I understand that if we get through Report the third reading can be moved and debated as a fresh Order?

MR. SPEAKER: Yes.

MR. LABOUCHERE (Northampton) said, he thought he might tell the First Lord of the Treasury that there would not be that universal consent to take the third reading to-night without which it could not be taken.

SIR WILFRID LAWSON: As the third reading may possibly be moved to-night, I had, perhaps, better give Notice of the Amendment I intend to move, and which is as follows:—

"That this House declines to appoint a Commission for inquiry into matters connected with political movements unless such inquiry be confined to definite charges of a criminal nature against specified individuals."

Subsequently,

SIR WILFRID LAWSON said: I beg to ask you, Sir, whether it will be possible to take the third reading of this Bill to-night, if we get through Report, unless there is unanimous consent to that course being adopted?

MR. SPEAKER: The third reading may be taken without the unanimous, if there is the general, consent of the House.

SIR WILFRID LAWSON: How will that general consent be obtained, Sir?

MR. SPEAKER: I shall be the judge of that.

EAST INDIA (CONTAGIOUS DISEASES ACTS).

Address for "Copy of the Despatch from the Secretary of State for India conveying to the Governor General of India the Resolution of this House of the 5th day of June 1888 with respect to Contagious Diseases Acts and Regulations in India."—(*Mr. James Stuart.*)

ARRESTS FOR DRUNKENNESS (IRELAND).

Return *ordered*, "giving the number of Arrests for Drunkenness within the Metropolitan Police District of Dublin, the cities of Cork, Limerick, and Waterford, and the town of Belfast on Sundays, between the 1st day of May 1887 and the 30th day of April 1888, both days inclusive, the Arrests to be given from eight a.m. on Sundays until eight a.m. on Mondays:"

"And, similar Returns for the rest of Ireland, from the 30th day of April 1887 to the 30th day of April 1888 (in continuation of Parliamentary Paper, No. 229, of Session 1887)."—(*Sir James Corry.*)

ORDERS OF THE DAY.

RAILWAY AND CANAL TRAFFIC BILL.

CONSIDERATION OF LORDS' AMENDMENTS.

On Lords' Amendment, allowing an appeal to the House of Lords, in cases in which there had been differences of opinion in two Courts of Appeal,

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS-BEACH) (Bristol, W.) moved to amend the Amendment, by confining the appeal to such matters as were affected by such differences of opinion.

Amendment *agreed to.*

MR. HUNTER (Aberdeen, N.) moved to add to the Lords' Amendment that the leave to appeal should be given "on such terms as to costs as the Court may determine."

SIR MICHAEL HICKS-BEACH said, he would accept the Amendment.

Amendment *agreed to.*

Lords' Amendments, as amended, *agreed to.*

MEMBERS OF PARLIAMENT (CHARGES AND ALLEGATIONS) BILL.—[BILL 336.]

(*Mr. William Henry Smith, Mr. Secretary Matthews, Mr. Solicitor General.*)

CONSIDERATION.

Bill, as amended, *considered.*

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.) said, that on Thursday last, shortly before the conclusion of the Committee stage upon the Bill, the hon. Member for the City of Cork (Mr. Parnell) referred to certain Amendments on the Paper which, he said, he was advised were of great importance, and which dealt with the matter of compelling witnesses to attend, and of punishing them for not attending. The Government did not entirely share the hon. Member's views on that point; but they had every desire that the witnesses should be compelled to attend, and that they should be punished for not attending, and he therefore proposed to add to the Bill a new clause, in the terms

of the clause of which the hon. Member for Cork had given Notice in Committee on the Bill, but which was not reached, owing to the special Rule. The clause was as follows:—

"If any person, having been served with a summons under this Act, shall fail to appear according to the tenour of such summons, the Commissioners shall have power to issue a warrant for the arrest of such person."

Clause (Failure to appear,)—(*Mr. Secretary Matthews,*)—*brought up*, and read the second time.

Motion made, and Question proposed, "That the Clause be now read a second time."

SIR CHARLES RUSSELL (Hackney, S.) argued that clearly the Commission should have power to punish not merely in the case of non-attendance, but also for refusing to answer questions upon examination.

MR. SEXTON (Belfast, W.) said, the Home Secretary had appeared that day in quite a novel character. He, who had hitherto appeared as engaged in objecting to every Amendment, now appeared as the Mover of one. Not only was that a new character for the right hon. Gentleman, but, in order to carry it out, he had appropriated to himself this Amendment, which, in itself, he regarded as a very reasonable one, which was on the Paper in the name of his (Mr. Sexton's) hon. and learned Friend the Member for Longford (Mr. T. Healy) when the Bill was in Committee, though his hon. and learned Friend was prevented from moving it. It also stood on the Paper that day in the name of the hon. Member for North Dublin (Mr. Clancy). Why should there be such a change in the attitude of the Government, who in Committee refused to insert or strike out even a comma? They said they would have the Bill, the whole Bill, and nothing but the Bill. He (Mr. Sexton) thought it was rather strange that the Home Secretary should thus appropriate an Amendment which stood on the Paper in the name of another hon. Member, and put it down in his own name. He would tell the House the reason why the Home Secretary moved these Amendments. On Monday in last week, when the House was going into Committee on the Bill, an article appeared in *The Times*, in which it was said—

"There can be no objection in principle to the adoption of other Amendments of which Mr. Healy, Mr. Redmond, and Mr. Arthur O'Connor have given Notice, and which generally tend to enlarge the powers of the Commissioners over witnesses, and to secure an enforcement of penalties. If these are so drafted as to accomplish their ostensible purpose, and if the Commissioners have not the powers referred to under the provisions of the Bill, there is no reason why the House should not accept them without too curiously considering their origin and real objects."

That was the declaration of Mr. Walter a week ago, and he thought it was necessary that the House should be informed that this Amendment was moved by the right hon. Gentleman because Mr. Walter had given it his sanction. Still, he did not quite understand why the right hon. Gentleman should have moved the clause himself, and not have waited to assent to it when proposed by the hon. and learned Member for North Longford.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, it was the invariable practice for the Government's Amendments to be put first on the Paper when a Bill was considered on Report; and the clause had been put down in the name of his right hon. Friend in order to insure its being taken first. That was the sole and only reason why his right hon. Friend moved the Amendment, of which they had been in favour from the first. He might add that during the Committee there were Amendments which the Government had always intended to accept, and there were some down for that evening which he thought the Government would see their way to accept.

Question put, and *agreed to.*

Clause read the second time, and *added.*

New Clause—

(Punishment for neglect to attend.)

"Any person summoned to attend before the Commissioners who shall refuse, neglect, or fail to attend in pursuance of any summons, shall, notwithstanding the dissolution of the Commission, be liable to punishment for contempt of the High Court of Justice in England, on the motion of any person aggrieved by such refusal, neglect, or failure."—(*Mr. Secretary Matthews,*)

—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. MOLLOY (King's Co., Birr) said, he felt bound to contend that the clause was too narrow. It did not go far enough by any means. Attendance in Court was a very small matter; but it was well known that very serious questions would arise upon the production of evidence, as well as upon the attendance of witnesses. It went no further than to provide for the attendance of a person before the Commission, and left out of sight the more important duty of compelling such person to give evidence. A witness might attend in pursuance of the summons of the Commission, and decline to produce certain evidence of vital importance to some of the parties interested. For instance, it did not deal with such cases as that of *The Times*, in regard to which it had been already stated by the hon. and learned Attorney General, in his opening in "O'Donnell *v.* Walter," that under no circumstances would the defendants in that action produce certain evidence, which would be absolutely required if these matters were to be accurately tested. The hon. and learned Gentleman said they would rather lose the cause. The Commission would be absolutely restricted by the clause. He did not think it was fair that any restriction should be put upon the power of the Commissioners in that direction. There was a second point in this extraordinary Amendment which had been drafted by the Legal Members of the Government. It provided that any person refusing to attend should be liable to punishment for contempt "on the motion of any person aggrieved." Thus any person coming before the Court and asking them to exercise their power, would be called upon in the first instance to prove that he had been aggrieved. How could anyone prove that he had been damaged by the non-production of evidence. Those were the two faults he found with the Amendment in its present shape. It was an absurdity, and the clause would be practically inoperative.

SIR WILLIAM HARCOURT (Derby) said, he wished to know what was the object of the words "on the motion of any person aggrieved?" It was a novel principle that on questions of contempt, the High Court could only be set in motion by the action of somebody else. As the clause stood, unless a motion were made by a person aggrieved, the Court would have no power to exercise the authority the clause sought to give them. It could do nothing on its own initiative in the matter of punishment, but must wait to be moved by someone applying to it. If it was, he most decidedly objected to it. Surely that could not be the intention of the Government?

MR. BRADLAUGH (Northampton) said, that the power contained in the clause was not only against persons affected by these charges, but against absolute strangers who might be summoned by a process which had no legal efficacy, and who might not be subjects of this nation. He wished to know, whether it was meant that a person aggrieved might apply to the High Court to punish these people for what could not be a legal offence?

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, the essence of the clause was to summon persons without the intervention of any party. But who was the aggrieved person?

MR. CHANCE (Kilkenny, S.) said, the latter part of the clause only was inadmissible.

MR. FIRTH (Dundee) said, that nobody could show that he was aggrieved without showing what evidence would have been given.

MR. MAURICE HEALY (Cork) said, the Government were not responsible for the wording of the clause. There were two points raised. First, what would be the power of the Commission in case a witness refused to answer a question, or evaded service of the summons, or went abroad? Next, what action would be taken after the rising of the Commission, for contempt committed while the Commission was sitting?

MR. MATTHEWS said, that hon. Members below the Gangway were hard to please. He had placed on the Paper two Amendments which hon. Members opposite thought vital. This Amendment was word for word the Amendment of the hon. Member for the City of Cork (Mr. Parnell). Yet, as soon as these Amendments were on the Paper, hon. Members began to criticize them. The danger pointed out by the hon. Member (Mr. Maurice Healy) was, that a person might evade service, or stay abroad till the Commission came to an end, and would thus escape punishment. He (Mr. Matthews) had copied the clause as it was. Hon. Members ought to have

asked the hon. Member for North Wexford (Mr. J. E. Redmond) about it, because it originally stood in his name. Then, as to the High Court of Justice taking action, he would point out that the Commission while sitting would itself act, and when defunct the High Court could not itself take action, but, of course, some one must inform the Court. Some affidavit and evidence of service of notice on the offender must be proved. He was, however, willing to amend the clause by deleting the words after "England," and substituting therefor the words "on the motion of any person who has appeared at the inquiry before such Commissioners."

SIR CHARLES RUSSELL suggested that the clause should be amended in the sense indicated by the right hon. Gentleman.

SIR WILLIAM HARCOURT said, he imagined that the clause would not meet the case of a man who had failed to appear before the Commission until a fortnight prior to its dissolution. The man might have only a fortnight's imprisonment, seeing that the Commission would only have power to inflict that punishment.

MR. MATTHEWS said, that the point was covered by the second Amendment standing in the name of the hon. Member for Cork, which he was not prepared to accept—namely,

"And any punishment of imprisonment inflicted by the Commission shall not come to an end by reason of the termination of the Commission until the High Court of Justice shall so order."

He admitted that the concluding words in the clause, "on the motion of any person aggrieved by such refusal, neglect, or failure," were not the best possible words; but they were not his own. As he had said, they were those of the hon. Member who drew the clause. He would be willing, in order to make the clause clearer, to substitute these words in their place—"On the motion of any person who has appeared at the inquiry before the sub-Commissioners." That would remove the vagueness as to the "aggrieved person."

MR. SEXTON said, he took it that the Court could not inflict punishment on its own Motion according to the wording of the clause. It must be according to the motion of an aggrieved party. He suggested that it should be open to any person who had been called upon to attend the inquiry to make such a motion. He apprehended that there were persons in England who could prove that the letters alleged to be written by his hon. Friend (Mr. Parnell) were forgeries, and it was of immense importance that those persons should be compelled to appear before the Commission. A long time must elapse between the time the Act was passed and the services of summonses, and he suggested that in the meantime it should be in the power of persons interested in the inquiry to bring under the notice of the Commissioners that they had reasonable cause to believe that certain persons whose evidence was considered material were about to leave the country, and that the Commissioners should have authority to prevent such persons from leaving the United Kingdom. The departure of two or three persons in that way might have the effect of rendering abortive the whole inquiry as to the genuineness of the letters. It was not the mere non-attendance, but the failure to give full and free disclosure that should be punished.

MR. T. P. O'CONNOR (Liverpool, Scotland) said, he wanted to know if, under the clause, the Commission would have power to compel the proprietors of *The Times* to state from what source and from whom they had received the forged letters?

MR. MATTHEWS was understood not to dissent.

MR T. P. O'CONNOR said, he was glad to find the right hon. Gentleman had put upon the clause the interpretation of a full and free disclosure, and not mere attendance to be examined.

In reply to Mr. PARNELL,

MR. MATTHEWS said, it was clear that the power to commit to prison did not apply to a Commission abroad.

Question put, and *agreed to.*

On the Motion of Mr. MATTHEWS, Clause *amended* by the addition of the words "who has appeared at the inquiry before such Commissioners," in lieu of "aggrieved by such refusal, neglect, or failure."

MR. PARNELL, in moving to add the following Amendment:—

"Or who shall refuse to make a full and true disclosure touching all the matters in respect of which he is examined,"

said, his objection to the clause was that, as it stood, it made no provision for the punishment of a person who appeared before the Commission and who refused to be examined, and who, at the expiration of the Commission, would necessarily be discharged from punishment. Take the case of Mr. Walter, or any other person belonging to *The Times*, who was defendant in the recent action. These gentlemen, through the mouth of their counsel, announced that they should refuse to give up to the Court the names of those from whom they obtained these alleged forged letters. They might possibly adopt the same course before the Commission, and, if so, he and his Friends would be placed in a serious position. In order to disprove the letters they would be confined to a large extent to the testimony of expert evidence and the denial on oath, and all the surrounding circumstances of the publication of the letters and how they were forged and who forged them would be excluded. What would be the remedy of the Commission? They would have power to imprison Mr. Walter for the remaining period that the Commission might sit, which might be only a few days. There would then practically be no remedy whatever against the refusal of Mr. Walter to do his best to facilitate the course of justice and the ascertainment of truth. The Commission might send him to gaol for a week; but he would probably not consider that very serious. Whereas against himself (Mr. Parnell) and his Colleagues, who would be examined in the earlier stage of the inquiry with regard to allegations perhaps months or years before the question of the forged letters was reached, if they committed what the Commissioners might deem to be contempt of Court, the Commission would have the power of putting them in gaol during months or years, as long as the Commission lasted. He was amazed to hear that the Home Secretary had announced that he was not going to accept this first Amendment; he should have thought the Government, having had a lucid interval, would have seen the necessity for at once clearing themselves from the grave imputations which had been cast upon them during the progress of the debates on the second reading—charges practically amounting to this, that they were in collusion with the editor and the proprietor of *The Times*, while the policy they had deliberately adopted of shaping this thing in every point, in every detail, in every condition so as to be most favourable to *The Times* and most unfavourable to himself and his Colleagues, was to be persisted in as regards the question of the punishment of offending witnesses. Now, it was of the utmost importance to the Irish Members that the Commission should have full power to compel a full disclosure of all matters on which a witness was being examined. For if this power did not exist, they might lose the power of compelling *The Times* to state who supplied the letters or of investigating the history of these documents. If the Government did not accept the Amendment, they would add one more proof to the overwhelming testimony which they had already given during the course of these proceedings upon the Bill that they wished to handicap the Irish Members and to place them at a disadvantage, while giving every advantage to their opponents. He would, therefore, propose to insert in the clause the words of which he had given Notice.

Amendment proposed,

In the Clause, line 2, after the word "summons," to insert the words "or who shall refuse to make a full and true disclosure touching all the matters in respect of which he is examined."—(*Mr. Parnell.*)

Question proposed, "That those words be inserted in the proposed Clause."

MR. MATTHEWS said, he could not help regretting that the hon. Member for Cork, even at that stage of the Bill, should have thought fit to repeat absolutely groundless statements with reference to the position of the Government in this matter—statements, moreover, which had the additional disadvantage of being utterly irrelevant to the question under discussion. The hon. Member would have done a great deal better by refraining from such a course. He (Mr. Matthews) could not, as he had said, accept this first Amendment, which had been framed evidently without considering what the clause was about. The clause was one inserted to prevent a person who had been guilty of a contempt against the Commission escaping punishment altogether, because the Commission could not get at him during their period of existence. The hon.

Member proposed to put in words which amounted to this, that the High Court of Justice was to treat as a contempt against them the refusal to make a full disclosure before the Commission.

MR. PARNELL: But read the clause by the light of my second Amendment.

MR. MATTHEWS said, he could not read a clause by the light of something else; he must read it as it stood. The Amendment was wholly unnecessary. As the Bill was drafted, the failure to make a full disclosure in answer to questions that were asked would be a contempt of the Commission, and in the case the hon. Member supposed—namely, Mr. Walter saying, "I have produced these letters, but I will not tell you who gave them to me"—that would be a contempt of the Commission, and under Clause 2, Sub-section 1, paragraph 3, the Commission had ample power to send Mr. Walter to prison for contempt in refusing to answer questions put to him. It would, therefore, be ridiculous to relegate that contempt to another Court after the Commission expired; because the man who failed to make a full disclosure was there before the Commission and the offence was committed in their presence. As to the second point—namely, the refusal to make a true disclosure—it was open to the Commission to refuse to give such a witness a certificate of true disclosure. The hon. Member proposed that without trial, without evidence, and on the mere impression that the witness had not made a true disclosure, such witness was to be committed then and there as for perjury. He could not accept the Amendment. The object of the hon. Member would be gained by another Amendment he had give Notice of, which the Government were prepared to accept.

SIR CHARLES RUSSELL gave it as his opinion, having looked at the context of the Bill, that inasmuch as the Government had consented to accept the second Amendment of the hon. Member, the present one was unnecessary. A non-full disclosure would be a contempt committed before the Commission of which they would have full cognizance. He would take occasion to suggest that the Government might do well to adopt a suggestion of the hon. and learned Member for Dundee (Mr. Firth) to insert the word "said" before Commission.

MR. PARNELL said, that after the opinions which had been expressed by the Home Secretary and the hon. and learned Gentleman (Sir Charles Russell), he was convinced that his object was already attained by the Bill as it stood. He asked leave, therefore, to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Amendments made.

MR. PARNELL said, he would now move his second Amendment—to add at the end of Mr. Secretary Matthews's new clause—

"And any punishment of imprisonment inflicted by the Commission shall not come to an end by reason of the termination of the Commission until the High Court of Justice shall so order."

He would ask whether the right hon. Gentleman was quite clear that the Amendment would apply only to the case of a person refusing to attend, and would also apply to the case of a person refusing to give evidence; because it had, he said, been suggested to him that the Court might hold that it might be held only to apply to the case mentioned in the clause at the end of which the Amendment came, and that there might be some risk that it would not be taken in connection with the other clause, which had reference to a failure to appear?

Amendment proposed,

At the end of the Clause, to add the words "and any punishment of imprisonment inflicted by the Commission shall not come to an end by reason of the termination of the Commission, until the High Court of Justice shall so order."—(*Mr. Parnell.*)

Question proposed, "That those words be there added."

MR. MATTHEWS said, he would accept the Amendment, but he thought that the proper place for these words would be as the last Sub-section of Clause 2, dealing with the power of the Commissioners to commit to prison for contempt.

SIR CHARLES RUSSELL said, he would suggest that the word "and" at the beginning should be omitted, and the words "for any contempt" be added. He thought that that would meet the difficulty.

Amendment, by leave, *withdrawn.*

Amendment proposed, at the end of the Clause, to add the words—

"For any contempt, any punishment of imprisonment inflicted by the Commission shall not come to an end by reason of the termination of the Commission until the High Court of Justice shall so order."—(*Sir Charles Russell.*)

Question proposed, "That those words be there added."

MR. CHANCE asked, what would happen if the Commission had issued a warrant, but the person was not caught before the Commission came to an end?

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth) said, he would point out that that case came within the provisions of the section.

SIR CHARLES RUSSELL said, he would withdraw his Amendment, in order that the words might be moved in the place suggested by the Home Secretary.

Amendment, by leave, *withdrawn.*

Clause, as amended, *added.*

SIR GEORGE CAMPBELL, in moving, after Clause 1, to insert the following Clause:—

"In case the evidence before the Commissioners shall, in their opinion, be sufficient, they shall have power to commit any person for trial on any criminal charge before the Court in England, Scotland, or Ireland having jurisdiction to try that charge,"

said, he thought that the House hardly realized what a tremendous engine a Commission of this nature was, if it was to be left untrammelled in its powers of punishment by any rules of procedure. He would instance the Commission appointed to deal with the crime of Thugging in India, and contended that the Bill, as it stood, was more sweeping and severe than the Act appointing the Thug Commission. That Act was specific, and dealt with existing crime; but the Bill was to go back into the history of past crime, and apply to crime of all kinds. By the Amendment, he would bring the Bill into conformity with the plan adopted in India, which was very much better. His object in making the proposal was to have it made clear whether the Commission was to be an inquisitorial or a judicial one.

Clause (Power to commit,)—(*Sir George Campbell,*)—*brought up*, and read the first time.

Motion made, and Question, "That the said Clause be now read a second time," put, and *negatived.*

MR. LABOUCHERE (Northampton), in rising to move the following Clause:—

"Nothing in this Act shall relieve the printers or publishers of any libel or libels published before the passing of this Act from any civil or criminal liability,"

said, that under the Bill a man might incriminate himself or others and he would get an indemnity. But it should be remembered that this was not entirely a case of "*The Times v.* Parnell and others;" it was also a case of "Parnell and others *v. The Times.*" Mr. Walter might make a full and true disclosure with respect to the letters, and if he did he was free from all penalty under the law of libel. He was not assuming that *The Times* published what it knew to be forgeries. But supposing it was proved to the hilt that the letters were really forgeries, not merely by the statement of Mr. Walter and his friends, but by other evidence, yet, as Mr. Walter might say he had received the letters from A and published them believing them to be genuine, he was to be absolved from all consequences. The hon. Member for North Wexford (Mr. J. E. Redmond) had been accused by *The Times*—it was part of *Parnellism and Crime*—of having proposed a resolution with regard to the murder of Lord Frederick Cavendish, but ignoring the murder of Mr. Burke. The hon. Member for North Wexford wrote a letter to *The Times* stating that he did not know at the time of Mr. Burke's death; but *The Times* did not insert the letter, and when accused of the fact said they did not believe the hon. Member. Was his hon. Friend to have no remedy? He submitted that if this new clause was not accepted it would be felt that *The Times* and its allies and associates, the Government, doubted very much whether with regard to the letters they had a good case, and this Bill, arranged after interviews—he would say no more—with Mr. Walter and between the Cabinet and the counsel for *The Times*, was brought forward, pushed through, and almost forced down the throats of hon. Members simply to protect *The Times* from the legal consequences of its own malpractices. He hoped the Government would free itself from such an accusation by accepting his clause.

Clause (Publishers of libel not to be exempt from liability,)—(*Mr. Labou-*

chere,)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. MATTHEWS said, it required all the assurance of the hon. Member for Northampton to make such a proposal. *Parnellism and Crime* had been published for some years, and there had been ample opportunity for enforcing the civil or criminal liability of *The Times;* but hon. Members had not brought their action, and would not bring it. Now, forsooth, the hon. Member for Northampton had the assurance to tell the House that this Bill had been put forward only because hon. Members had obstinately refused to enforce the Civil and Criminal Law against *The Times*, was put forward to save *The Times* from its liability. The hon. Member thought it was perfectly fair that hon. Members should hold back to see whether by the application of the somewhat severe screw of this Commission they could extract anything which would make them feel a little more confident. But if it were proposed that information should be extracted from hon. Gentlemen opposite with a view to proceedings afterwards, it would be said—"What a monstrous interference! You are setting up a powerful engine to compel people to incriminate themselves and you make them liable to penalties afterwards."

MR. LABOUCHERE said, he was given to understand that every Nationalist Member on that side of the House who was interested were perfectly ready and willing to be excluded from the indemnity clause applied to *The Times*.

MR. MATTHEWS said, there was no Amendment to that effect. He did not suppose that any person seriously asked that you should propose a Bill by which men were obliged to incriminate themselves, and then say you would take advantage of machinery of that sort in order to fix on them afterwards a civil or criminal liability. It was absurd to propose that one party to this dispute should remain liable to all the consequences of its past acts, and that the other party should be able, by a full disclosure, to shield themselves from all the consequences of their acts.

MR. SEXTON said, that the hon. and learned Solicitor General (Sir Edward Clarke) had stated that the Government were adverse to instituting criminal proceedings against the hon. Member for Cork (Mr. Parnell) and the other Irish Members, because to do so would shut the mouths of the accused parties. In other words, that meant that the hon. and learned Solicitor General could only establish the charges which had been brought against them out of their own mouths. If anyone had shown an aversion to instituting criminal proceedings against those hon. Members it had been the Government themselves. The whole of the London population had been prejudiced on the subject of these libels, and yet the hon. Member for Cork and his Colleagues were pressed to bring a civil action for libel against *The Times* —that was to say, after *The Times* and others had set mantraps on the ground, and had poisoned the wells, the Irish Members were asked to come upon the ground and to drink from the wells. If Hungarian patriots had brought civil actions for libel against the traducers before a jury at Vienna, or if the Canadian Home Rulers had come to this country to bring similar actions, everyone would have said that they were insane; and yet the hon. Member for Cork and the other Irish Members were deliberately asked to commit a similar act of insanity. The hon. Member for Cork had more than his own interest and feelings at stake in this matter, and, as the Leader of the Irish Party, he was bound to take care that he was not put at a disadvantage in whatever course he took. If the hon. Member were to bring a civil action for libel against *The Times*, he would be placing himself at the mercy of any prejudiced individual who might be upon the jury. He wished to know whether a witness who, in the opinion of the Commissioners, had made a full disclosure would be entitled to his certificate of indemnity, or whether he would have to wait for it until the Commission came to an end? What was to be the position of Walter or any other person connected with *The Times?* What would be the result if Walter were to come before the Commission, and were to say —"I did not believe the letters to be genuine, but I published them knowing them to be forgeries, because I wished

to damage Parnell, whom I believe to be a dangerous political character, and I saw no other way to do it?" What was to be done in such a case as that? Was Walter to get off with his certificate of indemnity because the Commissioners were of opinion that he had made a full disclosure? Was Walter, even if convicted of publishing letters which he knew to be forged, and thereby of moral murder, to get off unpunished? The right hon. Gentleman the Home Secretary had said that if one side was to obtain a certificate of indemnity, it ought to be granted equally to the other. For his part, and on the part of his hon. Friends, he could say that they none of them wanted this indemnity. They were prepared to trust their fate to the result of the finding of the Commission. They wanted justice, and no favour. The object of the Bill was to protect Walter from the consequences of his having connived at crime. It was absurd for the right hon. Gentleman the Home Secretary to say that hon. Members from Ireland had put down no Amendments. Why, they had been trying during the past four days to persuade the Government to accept their Amendments without success, and, therefore, it was useless for them to put down more.

MR. R. T. REID (Dumfries, &c.) said, he was afraid that Walter might be put into the witness-box solely for the purpose of obtaining an indemnity for him. In other words, the Commission, instead of being one for eliciting the truth, was intended merely for the purpose of whitewashing *The Times*, and saving it from the consequences of an action for libel. He hoped that the country and their constituents would notice that the object of this Commission was to save harmless and to indemnify the editors and proprietors of *The Times* against their having published the most frightful series of libels which had been put before the public in this country. He thought it would be rather hard if *The Times* were to be exposed to an action for libel while hon. Members from Ireland themselves claimed exemption from such an action; but it would be remembered that, although hon. Members from Ireland had expressly offered and desired that they should be exposed to the full terrors of the Civil or Criminal Law, on condition that *The Times* should also be exempt from any indemnity clause, Her Majesty's Government had declined to accept such a proposal.

SIR WILLIAM HARCOURT said, he would like to have the opinion of the right hon. Gentleman the Home Secretary as to how far this indemnity was to go? Was it to be confined to the libels in the action of "O'Donnell *v.* Walter?" As he (Sir William Harcourt) understood the words of the clause, it might possibly be applied to every libel published by *The Times* up to the end of the inquiry by the Commission. That was a rather interesting circumstance to a great number of people, because *The Times* libelled 20 or 30 persons every day. Personally, he was libelled by *The Times* nearly every day, and, if he thought fit, probably he should be able to bring an action for libel against *The Times* very frequently indeed. A great many of those persons who were thus libelled by *The Times*, however, were wise enough to care very little about the libels and the slanders of *The Times;* but, at the same time, there might be people who might wish to take notice of the calumnies of *The Times;* and he wished to know whether it was open to *The Times* under this indemnity to publish slanders and calumnies every day, and then come before the Commission and state what they pleased with reference to other libels and the subjects of libels? The words of the clause, as they at present stood, were very wide in their scope.

SIR JOHN SIMON (Dewsbury) said, that these certificates were granted only in cases where transactions could not be brought to light without the offer of an indemnity. The libels complained of would not be matters revealed for the first time before the Commission. They had been published for upwards of 12 months, and their publication could easily be proved, and it was on the publication of those articles they said that there should be no exemption to *The Times*. If *The Times*, on the other hand, should be summoned before the Commission and be compelled to state any facts which had not come to light before, the certificate might exempt them for such disclosures as they might then make. No words could sufficiently condemn the atrocious character of those charges which had been published if they were untrue. He

agreed that *The Times* would render a great service to the community if they substantiated the charges which they had published; but if after a strict investigation it was proved that the letters were undoubted forgeries and obtained by foul means, and the Commission came to the conclusion that there was no foundation for the charges against the hon. Members from Ireland, then he said that *The Times* and all connected with the libels would stand condemned as being guilty of a most infamous crime. It would be impossible to exaggerate the heinousness of such an offence. The phraseology of the Bill was most unjust to the hon. Member for Cork. The case was not analogous to others, in which a similar clause was inserted, for in this case the Inquiry by Commission was not really necessary.

SIR EDWARD CLARKE said, that the hon. and learned Gentleman maintained that the Commission was not necessary because actions might have been brought. That was exactly the position of his right hon. Friend the Home Secretary (Mr. Matthews.) It was because the hon. Member for Cork and his Friends had had an opportunity, of which they had not availed themselves, of proving the falsity of the charges elsewhere that the House of Commons was now engaged in erecting a tribunal which was to have inquisitorial powers. It was only fair to say that *The Times* should be protected as everybody else was protected who came before the Commission and who gave a full and true account of the circumstances of the case. If the proprietor or the editor of *The Times* came before the Commission and in the face of the world said, "All these statements were not only untrue, but were untrue to our knowledge at the time we made them," he believed there would be such a revulsion of public feeling in that matter, such a rush of public sympathy in favour of the hon. Member for Cork and those who were associated with him, that there were very few political combinations or political ties or political modes of action which would stand against the effect of such a public movement. But surely it was hardly possible to conceive that that admission should be made in the way which the right hon. Gentleman the Member for Derby had suggested. Surely they were dealing with this practical question—By what means were they to get, not only from those who were connected with *The Times*, but from Members of the House who were assailed in *The Times* articles and from all others who knew anything about the facts of the case—how were they to get, for the permanent settlement of that question and for the satisfaction of the public mind, the fullest and most complete history of the circumstances which were to be inquired into? The Government believed that that could be done not by making a distinction between the parties and the witnesses before the tribunal, but by giving that tribunal all the powers which similar tribunals had had for exactly the same purpose and for the same reason, and that was that for a full and true disclosure on the part of a witness he should never be assailed civilly or criminally as to the matters on which he was examined. It was conceded that if that protection were withdrawn from the other witnesses it would be disastrous and even altogether fatal to the action of the Commission, and there was, he submitted, no reason why any distinction should be made in that matter.

MR. T. P. O'CONNOR said, that the hon. and learned Solicitor General (Sir Edward Clarke) who had just spoken had remarked that if the charges of *The Times* against the Irish Party were proved to be false there would be a revulsion of public feeling in favour of the accused which would sweep away all political combinations.

SIR EDWARD CLARKE said, he did not wish to minimize what he had spoken; but what he had really said was that if such a thing happened as the right hon. Member for Derby had suggested—namely, that the representative of *The Times* came forward and declared not only that those statements were false, but that he had known them to be false when they were made—then there would be such a revulsion of public feeling as he had described.

MR. T. P. O'CONNOR said, of course it would make a difference in the guilt of the proprietor of *The Times* if he knew the charges to be false; but he had understood the hon. and learned Gentleman to say that if the charges were proved to be entirely groundless, then there would be the revulsion of feeling that he had indicated. The Irish Mem-

bers had a right to resent strongly the tone of the right hon. Gentleman the Home Secretary's speeches in regard to that Bill. That right hon. Gentleman had suggested as boldly as he could dare that in his opinion the charges of *The Times* were true.

MR. MATTHEWS said, he entirely disclaimed having done anything of the kind. He had, of course, assumed in argument that the charges of *The Times* might be false or might be true, but he had not indicated any opinion of his own on the point.

MR. T. P. O'CONNOR said, he had understood from the language of the right hon. Gentleman that the balance of his mind was in favour of the truth of the charges made by *The Times*. But, he asked, what business had the right hon. Gentleman to back up his argument for giving an indemnity to *The Times* by saying that he was willing to give an indemnity to the Irish Members, who had never asked for one.

MR. SEXTON: We do not want it; we would not take it.

MR. T. P. O'CONNOR: They were resolved not to ask for and not to accept a certificate of indemnity if offered by the Commissioners. They defied any tribunal to find a verdict against them. It was true that they had fought the Bill, and they were determined to fight it till the end, because they thought they were brought into that trial under circumstances that were unfair, and that they were handicapped; but they felt that if the Commission was as unfair as the action of the Government was, they would meet it with perfect fearlessness. The Amendment now before the House might be confined simply to retaining the civil liability of *The Times*. He would ask, was *The Times* to be absolutely exempt from all civil liability for publishing voluntarily for 15 months such gross libels against Irish Members? When those libels came out *The Times* said that he was present at the Convention in Chicago in 1883, with O'Donovan Rossa on one side of him and Finerty on the other; that those gentlemen made speeches in which the tragedy in Phœnix Park was referred to in language that was atrocious; that those gentlemen, in his presence, and therefore with his tacit approval, preached the doctrines of dynamite and murder; and it asked how could he, as a Constitutional politician and a Member of Parliament, who had taken the oath of allegiance at the Table of that House, allow such language to be used in his hearing without reproof? That was the charge made against him; but he did not answer it, because he supposed that *The Times* would find out its mistake. The reason why he did not reprove that atrocious language was that he had left America in 1882, and that that meeting of the Convention took place in 1883, at a time when he was 4,000 miles from Chicago. That was a specimen of the sort of foundation on which *The Times* made its charges against his Colleagues and himself. Two or three weeks afterwards *The Times* published a correction, in which it announced that it had mistaken him for another person who was not a member of the Irish Party. That was all very well; but would it be believed that the hon. and learned Attorney General, in his speech in the case of "O'Donnell *v.* Walter," actually brought forward the old charge against him of having been present at the Dynamite Convention at Chicago in 1883? Was he, then, because *The Times* was brought into a tribunal constituted and selected by the Government, to be deprived of his right of bringing home to *The Times* the civil liability to which its own gross carelessness subjected it? A man who was placed in the dock to answer a charge was not bound to prove his innocence, but a newspaper proprietor was bound, if called upon, to prove the truth of his libel. These relative positions were reversed by the Government. Mr. Walter would go into the box because he was asked to show on what grounds his newspaper had made charges against individuals. If it were a civil tribunal the burden of proof would be upon Mr. Walter; and was he to be relieved of that burden simply because he went before a Commission? There was an essential distinction between giving an indemnity to a man who confessed a crime and giving it to a newspaper that was asked to prove a libel which it would be bound to prove in a Court of Law. If the Government persisted in refusing the Amendment, the suspicion would be only too well founded that this was a Bill, not for the discovery of truth, but for the protection of *The Times* against Irish Members.

MR. HALDANE (Haddington) said, it had been reiterated that this exemption clause was in a form common to Commissions; but that raised a question as to the objects of the Commissions. The former Commissions referred to were appointed not to judge particular individuals, but to inquire into general subjects. He had been under the impression that this was a Commission in the nature of a substitute for some kind of judicial tribunal, and that the inquiry was to be conducted in judicial fashion, and accordingly there were clauses in the Bill giving the right to cross-examine witnesses, to appear by counsel, and enabling the parties to conduct their own cases as before any other tribunal in the land. If that were so, how did they stand with regard to this exemption clause? The exemption was only justifiable in a non-judicial Commission in which the Commissioners arranged their own procedure, decided whether certain witnesses should be called, and took their own method of getting at the truth, the clause under discussion being used as a means of getting at the facts. But before a judicial tribunal it was very different, and were they to understand that it was now contemplated that the Commissioners might refuse, it might be unreasonably, to hear witnesses whom the parties concerned considered it necessary to examine? He thought it could not be right that the parties charged should be prevented from bringing such evidence as might be necessary to clear their characters. The Government were on the horns of a dilemma; either this was a Commission like the Sheffield Commission, in which case the common form clause was admissible, because the issue was not guilty, or not guilty as regarded particular individuals, or else it was a Commission of another kind, a substitute for a judicial tribunal, in which case the inquiry would be conducted not by the judges, but before them, by the parties, and the clause was altogether inapplicable. It was no more applicable in the case before the House than it would be in proceedings before any judicial tribunal in the country.

SIR CHARLES RUSSELL said, he did not quite appreciate as an argument in support of the Amendment the suggestion that the proprietor of *The Times* might come forward and confess that he had published the letters knowing them to be forged. Surely that of all things was to be most desired by the hon. Member for West Belfast (Mr. Sexton) and his Friends. The clause would enable the conductors of *The Times* to make the desired admission; the Amendment would make it impossible for them to do so. The speech of the hon. Member for West Belfast had made him determine to vote against the clause.

MR. WHITBREAD (Bedford) said, he wished to draw attention to the fact that the Government had shifted the grounds upon which they defended the clause. The right hon. Gentleman the Home Secretary based his opposition to the clause on the ground that it would be monstrously unfair to *The Times* that it should be left exposed and have no protection given to it, while hon. Members from Ireland were covered by protection. Now, on this ground the Government had been openly challenged; the Irish Members said—"Leave us without protection, and the country will understand how the matter stands." So the main argument of the right hon. Gentleman the Home Secretary was gone. The House was getting rather tired of the argument that the Irish Members ought to have gone before a jury—the argument of a man who had used an enormous power, the circulation of the chief journal in England, to poison the minds of the jurymen. *The Times* took care to poison the well at which it asked the public to drink. When the speech of the right hon. Gentleman the Home Secretary had been met by the frank declaration of the Irish Representatives that on their side they were willing to forego any special protection, it became necessary for the Government to shift their ground a little bit, and then the hon. and learned Solicitor General put it on a different ground, and said it was out of their bountiful kindness—the Government could not bear to see the Followers of the hon. Member for Cork treated differently from the "other persons" mentioned in the Bill. But would these hon. Members ever have been put upon their trial if they had not been Members of Parliament? Would the Government ever have proposed to establish this tribunal for the trial of the "other persons" whom they were now determined to drag in? He would tell the House why this tribunal was to be

established. The hon. Member for Cork and his Friends had succeeded in dragging into light the grievances and miseries of Ireland and exposing them to the criticisms of the world, and it was because the Ministerial Party could not deny the existence of these grievances that they sought to submerge and conceal them by these dreadful accusations. The Members from Ireland were struggling to lift their country out of the deep mire in which English Governments had kept it, and there were those who could not bear that the malpractices of the past should be brought to light. The Government said that, in case the decision of the Commissioners should be against *The Times*, that journal ought to be protected. The hon. Members from Ireland had repudiated the idea of protection for themselves; he wondered whether *The Times* would be as willing to repudiate it. He trusted that *The Times* would be as bold as the Irish Members in this matter, for then, at any rate, there would be a little fair play between the parties to this controversy. The Members from Ireland had challenged the Government. They said—"We do not desire any protection for ourselves, if you will leave our adversaries in the same position." That challenge ought to be taken up.

Question put.

The House *divided*:—Ayes 120; Noes 191: Majority 71.—(Div. List, No. 262.)

MR. CLANCY (Dublin Co., N.) moved the following new Clause:—"That the Commission shall have power to make reports from time to time."

MR. MATTHEWS said, that Her Majesty's Government was willing to accept the clause in a somewhat amended shape, making it clear that the Commissioners had a discretion in the matter.

Clause (Commission may report from time to time,)—(*Mr. Clancy,*)—*brought up*, and read the first and second time; amended, and *added*.

MR. HUNTER (Aberdeen, N.), in moving the following new Clause:—

"Within such time prior to the commencement of the inquiry, as the Commissioners shall direct, the defendants in the action of O'Donnell versus Walter and another shall furnish in writing to the Commissioners such particulars of the charges and allegations in this Act referred to as the Commissioners may deem necessary to prevent surprise and unnecessary expense, and no evidence shall be given by the said defendants upon any matter not included in such particulars except by the leave of the Commissioners, upon such terms as to amendment of the particulars, postponement of the inquiry, and payment of costs as may be ordered. A copy of such particulars, in so far as they affect any persons, shall within such time prior to the commencement of the inquiry be served upon each such person in such manner as the Commissioners may order;"

said, that the clause imposed upon *The Times* the necessity of furnishing such particulars as the Commissioners might think necessary in order to prevent surprise and unnecessary expense, and was practically an adoption of the law relating to Election Petitions. It was perfectly obvious that this Bill was meant to accomplish a two-fold object; one was to get *The Times* out of a scrape, and the other was to try and get the Irish Members into a scrape. From beginning to end of the hon. and learned Attorney General's (Sir Richard Webster's) speech he had been unable to find any distinct, definite, positive, intelligible charge against anyone. Anything more ridiculous and shadowy than the allegations made it would be impossible to conceive. From begininng to end there was not one single definite charge. *The Times* said—"We charge the Land League Chiefs." Who were they? Then allusion was made to a scheme of assassination and to murderers. He would ask what scheme of assassination and what murderers? The whole of the statements were absolutely vague, undefined, and unmeaning. It was noticeable that the author of the libels was most ingenious, for when he specified with tolerable certainty the offences, he took good care not to name the persons, but when he mentioned persons he took care not to associate them with any distinct offence.

Clause (Particulars of charges to be furnished to the Commissioners,)—(*Mr. Hunter,*)—*brought up*, and read the first time."

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. MATTHEWS said, he hoped the hon. Gentleman would not consider him wanting in courtesy if he replied very shortly indeed to his speech upon this clause. The Commission was being founded on the precedents of the Shef-

field and Metropolitan Board of Works Commissions, and therefore this new Clause could not be accepted, for it would limit that full discretion which was desired and which it was desirable to give the Members of the Commission.

SIR CHARLES RUSSELL said, he thought this clause did not deserve to be treated in this light manner. The often repeated assertion had again been made by the right hon. Gentleman that this Commission was based on the precedents of the Sheffield Commission and the Metropolitan Board of Works Commission; but these were no precedents at all. The hon. and learned Solicitor General, in his speech on the second reading, had, he believed, admitted that there was no precedent for this Commission. The Sheffield Commission was a roving Commission, and no charges were made against individuals. In the present case, the Commission was to inquire into charges and allegations made against certain Members of this House and also against other persons, and in so far as the Members of this House was concerned particulars of the charges and allegations against them ought to be furnished to them. The hon. Member for Cork had stated that he would demand to be allowed to be represented by counsel, and to have his evidence laid before the Commission, and in other respects to have the same rights as a plaintiff in an action for libel, and this demand had been recognized as reasonable by the right hon. Gentleman the Home Secretary. *The Times* itself had in a leading article said that they did not doubt that the hon. Member for Cork would be placed—

"In the same position before the judicial Commission to be constituted by the Bill in which he would have stood before a jury if he had been plaintiff in an action for libel."

But if the hon. Member for Cork was plaintiff in an action for libel he would be as of right entitled to particulars of the charges upon which the defendants relied as justification of the libels. He would appeal, therefore, to the sense of fairness of hon. Gentlemen opposite to support this most reasonable clause. These charges extended over a long period of time, and related to the doings of many individuals—they consisted in some part of direct accusations, but still more of innuendoes and insinuations, and was it fair that a file of *The Times* should be thrown at the head of the hon. Member for Cork, and that he should be told to meet everything that was there alleged? It was said that it was not desirable to interfere with the discretion of the Judges; but this clause, if accepted, would not do so, for it merely provided that only such particulars were to be furnished as the Commissioners might consider necessary in order to prevent surprise and unnecessary expense. Members on that side of the House did not desire in any way to burke this inquiry. By all means let it be thorough, but, at the same time, in the name of charity and fair-play, let it be conducted on just and honest lines. Do not let them pretend that they were giving to hon. Members a fair opportunity of vindicating their characters before the world unless they gave them a complete investigation.

MR. ANDERSON (Elgin and Nairn) said, that the Bill without the proposed new clause would cause considerable trouble and difficulty to the Judges themselves. There must be some definite means by which the Judges could raise particular questions which they desired to inquire into, and it would be manifestly unfair if notice of the intended inquiries were not furnished to the Gentlemen who were implicated in the various charges and allegations.

MR. FINLAY (Inverness, &c.) in opposing the clause, said, he thought that this attempt to engraft the proceedings applicable to an action at law on an inquiry of this kind was a complete mistake. The proposed inquiry would extend over a great many days, or even weeks, and the Commissioners would certainly take care that no injustice was done by any surprise in the starting of charges against any parties implicated. This was an inquiry of a totally different kind from an action at law, and the sooner the Commissioners got to work the better. The Commissioners were appointed for the purpose of inquiring into the truth of the charges generally, and it would be highly inexpedient to combine the procedure in an inquiry of that kind with the technical procedure of an action at law.

MR. ASQUITH (Fife, E.) said, the only argument which the right hon. Gentleman the Home Secretary had condescended to advance against the proposal was that it had already been

decided upon by the House. He traversed that. It was true the Government had resisted every attempt to give to this inquisition the safeguards of a judicial inquiry by inserting in the Bill itself a specification of charges; but that was not the question, nor was it anywhere near the question. What his hon. Friend proposed to do was to require the Commissioners to demand from the persons who came forward in support of these charges —for after all their bold language they would hardly run away—such particulars as in the judgment of the Commissioners would prevent surprise, and thus secure justice. That proposal was so obviously just that he was almost ashamed to argue it. This compilation of *Parnellism and Crime* he had read, and he had read it as it was hashed up again by the Attorney General for the benefit of the jury, and the impression produced on his mind, from first to last, was that, with the single exception of the letters attributed to the hon. Member for Cork, and which raised a distinct issue of fact, as to which no particulars could be required, there was no definite allegation of crime, or anything approaching crime, against any Member of that House. The method adopted was that of allusion and suggestion. The book was a collection of insinuations and innuendoes. Let him take a sample from page 118 of "O'Donnell *v.* Walter," which dealt with the concealment of the knives. The writer said—

"It was Frank Byrne, the secretary to the English branch of the League, who procured the weapons with which the crime was perpetrated, and his wife was afterwards feted in New York as 'the brave little woman' who carried those weapons to Dublin. The offices of the League consisted of a small back room on the entresol floor of Palace Chambers, Bridge-street, Westminster. An adjoining room, equally small, with folding doors between, constituted 'the offices of the Irish Parliamentary Party.' The folding doors stood open, and the Irish M.P.'s escaped asphyxia by using the two rooms as one. . . . The treasurer to the League, Mr. Thomas Quinn, now M.P. for Kilkenny, was a frequent visitor, and while in London the Irish M.P.'s were in an out at all hours. The M.P.'s, of course, held their caucus meetings there, as did also the executive committee of the League. In this office the weapons were kept for several days before Byrne removed them to his home in Peckham. The knives laid in a paper parcel on the floor; the Winchester rifle and the revolvers of which so much was heard at the murder trials lay open to the inspection of the curious."

Again, on page 124, it says—

"We have stated that the knives and firearms procured for the assassins in Dublin lay in their office, frequented as it was by the Parnellite leaders, for several days before they were conveyed to Dublin by Mrs. Byrne, or another woman passing under her name."

Now, he asked, what was the allegation in this? It might be said—and he had no doubt that the anonymous coward who penned it would say—that it meant simply this—that the Members ought to have been more careful before employing a man capable of such desperate outrages. But, on the other hand, it might mean a great deal more; it might mean that the Members, who were constantly frequenting the office, either knew, or ought to have known, that this parcel of knives was there, and that they knew, or ought to have known, the purposes for which the knives were to be used. If that was what the writer meant, "the Irish M.P.'s"—no one was named—were charged with being privy or accessories before the fact to one of the most cruel crimes which ever stained these countries. He should say nothing about the writer, except that he had been guilty of the most scandalous violation of the honourable traditions of English journalism, and of the elementary rules of fair play. But the most rudimentary considerations of justice demanded that these men should know beforehand what was the charge they were going to meet. On the grounds which he had stated, he submitted that the clause was quite consistent with all the previous decisions to which the House had come; and it was not only open to the Government to adopt the clause, but unless it were adopted there would be serious risk that the inquiry would be converted into an instrument of the grossest unfairness and injustice.

Mr. SEXTON said, the right hon. Gentleman the Home Secretary gave an artistic illustration of the situation. The right hon. Gentleman said that crime was at an one end and crimelessness at the other, and the degrees between were imperceptibly shaded. The speech of the right hon. Gentleman showed that he felt shame, as an Englishman, at the nature of the plot, now so fully developed, directed against representative Irishmen, for no other reason, as he believed, than because they

represented the Irish people. He admitted that it was desirable the Commission should get to work as soon as possible; but this clause would not work against a speedy inquiry, because *The Times* was well aware of what charges it was able to prove, and, therefore, it would be no hardship for *The Times* to give the particulars asked for. With reference to the gravest part of the charge alleged by *The Times*—namely, in regard to the presence of weapons in a certain room, connecting the Irish Members as a body by the language of innuendo with knowledge of these weapons, he would like to ask whether, leaving out altogether the proceedings in an action at law, it was fair to leave any man or any number of men in a party of over 80 persons in doubt as to whether or not any attempt would be made to give that general innuendo a special direction against him or them? Personally he had no objection to go before any inquiry if each individual was required only to explain his own conduct; but that was not so. Every person named was sought to be connected with other persons. He submitted that everyone charged or pointed at was entitled to ask *The Times* for particulars which would enable him to see how they connected him with crime. Owing to the speeches of the hon. and gallant Member for North Armagh (Colonel Saunderson), the hon. Member for South Belfast (Mr. Johnston), and the noble Lord the Member for South Paddington (Lord Randolph Churchill), more murders were committed in Belfast during three months of 1886 than in all Ireland during the whole time the Land League was in existence. Now, suppose *The Freeman's Journal* openly made a charge against the Unionist Party of having complicity in these murders and an inquiry was ordered, how would any Member of the Unionist Party feel if he were told he would get no particulars as to the extent to which he was criminal or blamable? His own name was mentioned in connection with three different occasions in *Parnellism and Crime*, and was it not simply fair play to tell him before the inquiry opened whether or not he must summon evidence from different places to explain the perfectly innocent character of the circumstances? If anybody could show him that this would be a hardship on *The Times*, he should be glad to hear it. *The Times* had from time to time dropped a part of its libels. The full body of them was not what it was 12 months ago; some parts had been dropped because found to be palpably untrue, and surely the Irish Members were entitled to know how much it intended to prove and how much it had dropped. For, no matter how fallacious an allegation might be, they had no security that *The Times* would not proceed with it, and they should have no evidence unless they were told beforehand. The demand now made would not curb the inquiry, but it would help to elicit the truth by placing the persons charged in a position by preparation to adduce the fullest and most conclusive evidence on all matters which were judged to be relevant to the inquiry. The Irish Members asked for nothing more than the application of a primary rule of justice in this case, and if the Government refused the clause, they would not only defeat an obvious claim of justice, but they would hinder the due and full disclosure of the truth, and impose difficulties on the parties charged by compelling them to keep their counsel and witnesses continually at the investigation, at a very grievous loss of time and intolerable expense.

SIR WILLIAM PLOWDEN (Wolverhampton, W.) said, he wished to enter his protest and most hearty condemnation of the course which the Government were pursuing in this matter as he thought it was essentially unjust. It was said that the clause would limit and hamper the power of the Commission. He must traverse that proposition absolutely. He must also deny that this Bill was similar to that which was passed to deal with Trades Unions. In this Bill there were distinct charges against certain specified persons; in the other there had been no charges made against any one single person. In speaking upon the second reading of the Sheffield Commission Bill, the right hon. Gentleman the Chancellor of the Exchequer had objected to the two subjects of outrage at Sheffield and the effects of Trades Unions on the interests of the country being treated together, on the ground that the fact of certain deplorable acts having been committed might bias the minds of the Commissioners and thereby prejudice the examination of the broader question. Those

remarks of the right hon. Gentleman were most apposite to the present occasion, and he trusted that the right hon. Gentleman would therefore join him in voting for this clause.

SIR EDWARD CLARKE said, that he had been appealed to to say whether he thought that it was just that hon. Members opposite who were affected by the statements in the articles published in *The Times* should be called upon to face this inquiry without the preliminary specification of charges which was not only suggested but required by this clause. He would not stand there to advocate any course which he did not consider to be perfectly consistent with entire justice to hon. Members opposite, and he did not consider that justice did require that this clause should be accepted. The question now was whether they should dictate to the Commissioners that they should require, before starting on the inquiry, the formulating of certain charges made by the *The Times*. As had been said before on that side of the House, to do so would be giving an entirely new character to the inquiry; it would make the Commissioners recognize the proprietors of *The Times* as persons coming before them to advocate —and bound to advocate—a particular set of charges. That was not the character of this inquiry at all. These charges had been made, and the truth of them would have to be inquired into; but he knew of no justification of any kind for that House laying it down that the Commissioners should require that the proprietors of *The Times* should formulate a series of accusations by which they would be bound in this matter. That was outside the intention and the character—the necessary character—of this inquiry. It was true there were limitations as to the time at which the particulars were to be delivered; but the words were directory as to requiring particulars. The defendants in the action of "O'Donnell *v.* Walter" were not parties to this inquiry in the sense of being parties to an action at law; the Commissioners had to examine into the truth of the allegations made. The hon. Member for West Belfast (Mr. Sexton) had again referred to the three allusions made to him in the articles in *The Times* read at the recent trial. In his (Sir Edward Clarke's) opinion, that reference was a good instance of the absolutely unnecessary character of any particulars at all. Supposing that the question was with regard to the hon. Member being in Paris at a particular time; if the charges rested upon that fact evidence would have to be given against him that he was in Paris at that time before there was any real accusation to answer, and his own evidence with regard to that would be overwhelming in the absence of evidence to contradict it before the Commissioners. The hon. and learned Member for East Fife (Mr. Asquith) asked him to define the charges; and the hon. and learned Member for Elgin and Nairn (Mr. Anderson) asked him to say what the course of the Judges would be. He respectfully declined to do either. He was neither counsel in the matter nor one of the Judges. The hon. and learned Member for East Fife read a passage with the view of showing that it was general imputation which was made upon the Irish Members; but, curiously enough, he left out three and a-half lines in the middle, the very part which contained a reference by name to one Member of the Irish Party in the House.

MR. ASQUITH said, he omitted these words—

> "The regular occupants of the office were Frank Byrne himself, D. M'Sweeney, clerk to the League, now dead, and Mr. H. Campbell, Mr. Parnell's private secretary, now M.P. for Fermanagh"

—because they were immaterial.

SIR EDWARD CLARKE said, that the lines left out contained reference to three persons who were regular occupants of the office in which it was stated that "while in London the Irish M.P.'s were in and out at all hours." It was treating the House very strangely to leave out three and a-half lines, which contained, not only the name of Byrne, but also the name of Mr. Parnell's private secretary. With these documents before the three learned Judges, they could see very definite charges indeed. When it was proposed to refer the matter, not to a Commission, but to a Select Committee, the House did not hear much about defining the charges. The hon. Member for West Belfast asked whether the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) would be called upon to produce evidence that he was not present at a particular meeting at Chicago, as

alleged in *Parnellism and Crime. The Times*, however, admitted that that was one of the allegations in *Parnellism and Crime* which was not accurate. Of course, therefore, the hon. Member would not have to call any evidence about that. The hon. and learned Member for Inverness (Mr. Finlay) had pointed out that the demand for particulars of the charges beforehand rested on the supposition that the charges were to be tried before a jury or a tribunal sitting for the express purpose, and which would shortly be dissolved. But before the Commission, if an allegation was made by a witness against the character of any one, there would be abundant notice in the evidence itself, and the Commission could, and no doubt would, if necessary, adjourn so as to insure the fullest disclosure of the truth. There were a good many clauses still on the Paper with which the Government were anxious to deal in a reasonable manner, and he hoped they would now be allowed to dispose of the present Clause.

MR. R. T. REID said, that all the clause asked was that the defendants in "O'Donnell *v.* Walter and another" should be required to furnish such particulars as the Commissioners might deem it necessary to prevent surprise or unnecessary expense. If the Commissioners did not deem them necessary, they need not require such particulars. There was no proceeding known to an English Court in which the particulars now asked for would be refused, and no civilized jurisprudence would deny them to persons charged with even slight offences, and still less would deprive the Commissioners of a discretionary power on the subject. The hon. and learned Solicitor General gave two remarkable reasons for not accepting the clause. The first was, that he did not wish to dictate to the Commissioners; but the clause did not dictate to the Commissioners. It left the matter to their discretion. The second reason was still more remarkable. It was said that he did not wish *The Times* to appear in the position of accuser. That was to say, that persons who had circulated day after day by hundreds of thousands these libels, and who had made these allegations in the speech of their counsel in the case of "O'Donnell *v. The Times*," were not to be bound to make any accusations whatever. It would not be denied by the Solicitor General that if he were sitting in a judicial position he would not refuse the particulars which he now refused. The debates on the Bill had been, from beginning to end, exceedingly instructive, and the real motive for the opposition to the clause was, that the Government did not want to place *The Times* in the disgraceful position of being obliged to specify charges which it would afterwards have to admit were unfounded. They wished, having thrown out this tremendous mass of suggestion and allegation against the Irish Members, to allow *The Times* to say it never made such charges, and hon. Members opposite, who, speaking in the country, had been suggesting their truth, to escape from the responsibility of making them. There had been no instance of such meanness in the whole course of these debates as to refuse to give the Commissioners power to direct that specifications of allegations, when necessary, should be given.

MR. J. O'CONNOR (Tipperary, S.) said, he wished to point out that there were many persons connected with this inquiry who had not been mentioned in the original indictment. It had been charged that the organization of the Land League had fomented crime in Ireland; and as he himself had been actively engaged in organizing that association, and had established many branches of it in 1880-81-82, and 1883, it was not improbable that he might be called as a witness before the Commission. It would then lie upon him to prove that his connection with that organization had been of an innocent character. Further than that, during many years he had been in communication with Mr. Parnell and with other Leaders of the Irish Party in connection with the National League, and he had received and had disbursed large sums of money for the purposes of that League. It had been stated again and again that the money of the organization had been used in promoting assassination. Was he not, therefore, concerned to prove that every farthing of the money he had received had been devoted to legitimate purposes? In these circumstances, it was only just that he should have an opportunity of refreshing his memory with regard to

the facts he would be examined about before the Commission, and that, therefore, he ought to be furnished with a copy of the particulars of the matters with regard to which he would be required to give evidence. To deny him those particulars would be an act of injustice, and would show that the object of the Commission was not to elicit the truth. From the course which this debate had taken, he knew that it was impossible for the Irish Members to expect justice at the hands of the Party opposite. The Bill had been read a first and a second time, and had passed through Committee without the Government having accepted a single substantial Amendment which had been proposed by the Irish Members. Seeing that witnesses would have to be brought from Ireland and from all parts of the world to give evidence before the Commission, he urged that, merely upon the ground of economy, if upon no other, particulars of the matters to be gone into should be given. He therefore urged that it was the duty of the Government and of the majority of that House to accept this Amendment. The Government in opposing the proposal were actuated by the same spirit of unfairness which had characterized their conduct throughout the whole course of the Bill.

COLONEL NOLAN (Galway, N.) said, he wished to point out that without a bill of particulars, the sitting of the Commission would be excessively prolonged, and that the legal expenses would become enormous. Perhaps he could not convince the hon. and learned Solicitor General for England opposite that that was a thing to be avoided, for the hon. and learned Gentleman might himself be engaged for *The Times*, though he fancied the hon. and learned Gentleman would hardly think it a nice thing to be speaking in one place for the *The Times* and then coming down to the House as an impartial Law Officer and Adviser to the Crown. He (Colonel Nolan) had had some experience of the want of particulars. Some years ago he was concerned in an Election Petition, and the Judge refused to make an order for the particulars, with the result that instead of lasting only 8 or 10 days the inquiry occupied 55 days, and the costs, as a consequence, were £11,000 instead of only £3,000 or £4,000. It would be the same in this inquiry. How did the Government know that fresh charges would not be sprung upon them? Lately, the Irish Members had been accused of the crime of silence, particularly with reference to the Phœnix Park murders. He for one should like to hear the particulars of that charge, supposing it were to be seriously made. All he could say was, that a day or two after the Phœnix Park murders a public meeting was held in the principal town of his constituency, and resolutions were passed condemning the murders, special reference being made to the death of Mr. Burke. He contended that it was not fair to the 86 Irish Members that that cloud should be allowed to hang over them, and in justice to them particulars of the charges ought to be furnished. He protested against the conduct of the Government in refusing those particulars, and thought that refusal would cause the inquiry to be drawn out to an inordinate length, and he could not also help thinking that the Tory Party and *The Times* were doing this in order to make it a battle of costs.

MR. GOSCHEN said, he must appeal to the House to say whether that particular Amendment had not been sufficiently discussed. If the discussion were prolonged, the result would be that time would not be left for the consideration of the other important Amendments on the Paper. In the interest of those Amendments, he hoped the House would be allowed to close the discussion either by a Division or by the withdrawal of the clause.

MR. HALDANE supported the Amendment. He would not stand long between the House and a Division; but he felt bound to say the debate had filled him with alarm, because to him it seemed a new thing that a Commission should be appointed for the purpose of doing that which it was the sacred right of every subject to have done only by the constitutional tribunal of the land. Surely, there should be before this Commission the ordinary privileges extended to those whose characters and reputations were at stake. All they asked was, what was generally and as of right conceded to the meanest criminal, that no man should be tried on charges of which he knew nothing, and which might be brought, as it were, behind his back. The Government were now

for the first time setting the Judges upon what was nothing less than a roving inquiry; and the Judges would not thank the Government for the burden they were throwing upon them under conditions which would render them liable to the suspicion of partizanship. It appeared to him that in taking that course, the Government were doing a most unfair thing, and a thing that would be remembered against them so long as the history of the Irish Question survived in the memory of the people of this country.

MR. W. A. M'ARTHUR (Cornwall, Mid, St. Austell) said, that the hon. and learned Solicitor General had said that that was not a contest between *The Times* and hon. Members from Ireland, but that the Commission was to inquire into the whole subject and find out the truth. With all deference to the hon. and learned Gentleman, he (Mr W. A. M'Arthur) said that the country would not agree with him. The hon. and learned Gentleman might be correct as to the legal definition of the points to come before the Commission; but the country generally, which cared little about legal subtleties, looked upon *The Times* as the prosecutor and hon. Members from Ireland as the defendants in that case; and it was perfectly monstrous that when that journal had for a whole year cast accusation after accusation against Irish Members, and when hon. Gentlemen opposite had used those accusations for an equal period to create prejudice, the Government should, while establishing a tribunal to inquire into the truth or untruth of those charges, refuse either themselves to specify the particular charges which had to be met or to accept an Amendment providing that they should be specified by *The Times*. He believed that people in the country were disgusted with the action of the Government in the matter of the Amendment, and would look upon it as a proof of their willingness to give every assistance to *The Times* in the prosecution against Irish Members and to throw every difficulty in the way of those Members making their defence. That action would be viewed by many plain, honest men as giving an undue advantage to *The Times* and as being opposed to the interests of fair play and ordinary justice. Though sympathizing with the desire of Irish Members for a separate Parliament, he had not often been able to sympathize with the methods adopted in Ireland for the furtherance of that desire. He had even been shocked one morning to find himself commended in *The Standard* for the course he had taken in this matter. The present was one of the most scandalous cases of injustice that had been brought to the knowledge of the House during the whole course of the debates on the Bill.

Question put,

The House *divided*:—Ayes 118; Noes 184: Majority 66.—(Div. List, No. 263.)

MR. MAURICE HEALY had a clause on the Paper, to provide that any person printing or publishing by speech or writing any comment on the evidence given before the Commission until it should have reported, should be guilty of a misdemeanour and liable to be sentenced by the Commission to any punishment now attaching by law to misdemeanour, or to pay a fine not exceeding £1,000; and another clause to make the misreporting of the evidence a misdemeanour to be visited with similar penalties; but——

MR. SPEAKER intimated that as the clauses involved an alteration of the Criminal Law, they were not within the scope of the Bill.

MR. MAURICE HEALY moved a new Clause, providing that—

"No witness domiciled in Ireland shall, except with his consent, be summoned to attend for examination in England, nor shall any English or Scotch witness be compelled to undergo examination in Ireland, and the Commissioners shall conduct their examinations in such places as shall appear to them most convenient and least expensive for witnesses."

Clause (Place of sittings,) — (*Mr. Maurice Healy,*)—*brought up*, and read the first time."

Motion made, and Question proposed, "That the said Clause be now read a second time.

MR. MATTHEWS said, he could not accept the Amendment, and he was sure the hon. Member could hardly have considered the effect of the clause. It had not been contemplated for a moment that the Commission should ever sit in Ireland. If they were to sit in Ireland the Judges would not have the same power as they had in this country, and it was impossible for the Government to

accept the clause, which could not be given effect to without remodelling all the clauses of the Bill.

Question put, and *negatived.*

MR. MAURICE HEALY, in moving the following new Clause—

"No Member of Parliament against whom any of the said charges or allegations have been made shall be detained in custody under the Criminal Law and Procedure (Ireland) Act during the sittings of the Commission,"

said, he maintained that it was only fair that persons who were supposed to be implicated by the charges of *The Times* and who were in gaol should be given an opportunity of appearing before the Commissioners and defending themselves. The hon. Member for East Mayo (Mr. Dillon) who was now in prison, was more deeply interested in the proceedings than anybody else, with the single exception of the hon. Member for Cork (Mr. Parnell). It would be monstrously unjust that *The Times* should have the power to libel the hon. Member before the Commission behind his back.

Clause (Members imprisoned,)—(*Mr. Maurice Healy,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

SIR CHARLES RUSSELL said, he would suggest that the question could be raised more advantageously on the Amendment of the hon. Member for North Wexford (Mr. J. E. Redmond), which stood lower down on the Paper. The substance of that Amendment was, that if it should appear to the Commissioners that any person affected by the charges and allegations was at any time during the inquiry imprisoned under the Criminal Law and Procedure (Ireland) Act, the Commissioners might, subject to such conditions as regards bail or otherwise as they might prescribe, order the release of such persons during continuance of the inquiry. That Amendment, he contended, was perfectly fair and it was absolutely necessary, in order to insure that any Member in the present position of the hon. Member for East Mayo should have an opportunity of meeting the charges brought against him. It should be observed that the Amendment would leave the matter to the discretion of the Commissioners.

MR. SEXTON said, he would advise his hon. Friend (Mr. Maurice Healy) to amend his clause according to the terms of the clause of the hon. Member for North Wexford.

MR. SPEAKER pointed out that the clause must first be read a second time.

MR. MAURICE HEALY also pointed out that the hon. Member (Mr. J. E. Redmond) was not present, and that his Motion could not be raised in his absence.

MR. SEXTON proposed to insert "and other persons."

MR. MATTHEWS said, that it was impossible, under any circumstances, for the Government to agree to the clause. If amended in the manner suggested, it would apply to all persons affected by the allegations, and the effect would be that during the whole of the inquiry, which every Member from Ireland said would last for years, every Member of Parliament who was named in the charges would be free to violate any provision of the Criminal Law and Procedure Act with impunity; and the hon. Member for West Belfast proposed to extend this licence to mankind at large. He did not think any injustice would be done if the clause were not agreed to. It was clear that if charges were made before the Commissioners against a person who was in custody, and who, therefore, was unable to prepare his defence, the Court would listen to an application on his behalf with a view to the appointment of a future day when he might appear and defend himself. The Commissioners would, of course, take care that persons affected or incriminated should have an opportunity of answering the charges before any report hostile to them was drawn up. The Commissioners would show themselves to be unfit to discharge the duties entrusted to them if they were to do otherwise. The Government could not consent to suspend the Crimes Act during the inquiries of the Commission; nor could they transfer to the Commissioners the Prerogative of Mercy vested in the Lord Lieutenant.

MR. SEXTON said, that the right hon. Gentleman's fantastic speech was quite unworthy of that grave debate. So far from applying to mankind at large, the Amendment would only affect

the portion of the Irish race within the reach of the Coercion Act. And it only applied to a few of these; for it referred only to those named in the charges who were at present in gaol under the Coercion Act. Twenty-five Members of his Party were mentioned by name in the libellous articles of *The Times*, and the whole Party was designated by implication. There were at present three Members of the Party in gaol; a fourth was on his way to prison, and many more would very likely follow him. Prisoners under the Crimes Act were not allowed to see the newspapers, and had no means of learning what was being done in the world except from the chance whisper of a friendly warder. What security was there that witnesses would not bring charges against Members who were in prison; and, if such charges were made, ought not the persons implicated to be present to instruct counsel how to cross-examine? His hon. Friend the Member for East Mayo and other imprisoned Members could not defend themselves before the Commission if they were not present during the whole of the inquiry to hear the evidence, for at any moment evidence might be given to their disadvantage. His argument applied with equal force to the other persons implicated. Would the Government make any concession? The Amendment would apply to but a very few persons; and he, therefore, trusted that the right hon. Gentleman would see the necessity of making some concession so as to obviate the possibility of Members being kept in prison while evidence affecting them was being given.

MR. R. T. REID said, he hoped that some reasonable arrangement would be arrived at, as he was sure that the Government must desire that all persons incriminated should have a fair trial. It could not be fair that any persons should be confined in prison while witnesses affecting them were called, and when they were unable to instruct their counsel. Was it not possible to find some means of enabling them to be present? A simple provision, he thought, could be inserted, permitting the Commissioners, or the Chief Secretary, or any other authority, to order their release on such conditions as were thought proper. A still further limitation could be put in, providing that the power should only apply to persons imprisoned under the Crimes Act. He would ask the Government, whether they did not consider they could do with advantage that which the public would feel was consistent with fair play? Some such provision as the one proposed was required.

MR. FORREST FULTON (West Ham, N.) said, he hoped that the Government would, under no circumstances, accept the Amendment. It was perfectly manifest that it could have but one of two objects. One object—no doubt a laudable one in the view of hon. Members opposite—was to secure the release of the hon. Member for East Mayo. What he desired to point out was, that this concession must have the result of releasing the hon. Member for East Mayo. From the very day that the Commission began its sittings, the hon. Member would escape his punishment. That was the first object of hon. Members opposite. But there was another one, which he hoped Her Majesty's Government would set their faces against. If the new clause were agreed to, the result would be that hon. Members opposite, whose names had been directly or indirectly mentioned, would be at liberty to go about from one end of Ireland to the other delivering the most inflammatory speeches, and the terms of the clause would render sentences of six months' imprisonment with hard labour which might be passed upon them an absolute nullity. They could not be detained in custody until the Commission had reported, and the operation of the Crimes Act would thus be entirely paralyzed. That, in his opinion, together with the desire to get the hon. Member (Mr. Dillon) set free, was the motive for the clause. He, therefore, trusted that Her Majesty's Government would appreciate the motives of hon. Gentlemen opposite in introducing the Amendment. In their most honeyed tones, they had appealed to the Government to make this concession; but he sincerely hoped that the Government would not be led astray, but would firmly resist this insidious proposal.

SIR WILLIAM HARCOURT said, he sincerely hoped that the Government would not listen to the advice which they had just received from the Old Bailey. The arguments of the hon. and learned Gentleman were worthy of the Central Criminal Court; but he trusted that Her

Majesty's Government would look at the matter from a higher and broader standpoint. In whatever aspect they looked at it, he could tell them that it would not be regarded from the Old Bailey point of view in the country. The proposal was, that men who were imprisoned under the exceptional law should not be subject to attacks from which they had no means of defending themselves. The proposition of the hon. and learned Gentleman opposite was that the hon. Member for East Mayo should be kept in prison. Hon. Members feared doubtless lest Mr. Dillon should be liberated; they wished him to be kept in prison, ignorant of what was going on, without means of defending his character from the attacks made upon it. He was to be charged with leaguing with assassins. [Lord GEORGE HAMILTON (Middlesex, Ealing): Hear, hear!] The noble Lord cheered that——

LORD GEORGE HAMILTON: You charged him with it.

SIR WILLIAM HARCOURT said, he had not done so in general terms, he——

MR. R. G. WEBSTER (St. Pancras, E.) rose to Order. Was the right hon. Gentleman speaking to the Question?

MR. SPEAKER called upon

SIR WILLIAM HARCOURT, who stated that it was perfectly true that the hon. Member (Mr. Dillon) made a speech in the house which he (Sir William Harcourt) was sure no one regretted more than himself. When the hon. Member made it he (Sir William Harcourt) denounced it. But his denunciation referred only to that speech, and not to the general character of the hon. Member. Even the Members for Ulster observed some decency on that occasion. Now, it was proposed to let the hon. Member lie in prison, while his enemies, the hon. and gallant Member for North Armagh (Colonel Saunderson) and others, made statements against him of which the hon. Member would have no knowledge, with respect to which he would be unable to bring witnesses and prepare his case beforehand. The Government were gagging this man, putting manacles upon him and depriving him of all means of defence, of all communication with his friends, of seeking evidence which he might require possibly from abroad. Did hon. Members opposite imagine that the country would think him fairly dealt by? No; the people of the country would know that an outrage was being committed against this man and every man similarly circumstanced. The Government were handing these men to the tender mercies of *The Times* newspaper and of the hon. and gallant Member for North Armagh, who might slander them as they pleased and bring any charge they liked against them. Prison discipline was rigidly enforced, and no man was to come near him, while he was defamed before the Commission! Was that English justice, was that the "unexampled generosity" of the Solicitor General? They might do as they pleased, the country would understand the meaning of their action. Day by day the necessity of their position compelled and would compel the Government to imprison more and more men—the very men against whom they wanted to bring these charges—and the more necessary it would become to lock up these men, and they were to be allowed no means of defence.

COLONEL SANDYS (Lancashire S.W., Bootle): Hear, hear!

SIR WILLIAM HARCOURT: That sentiment is cheered from the Tory Benches. ["Hear, hear!"]

MR. F. S. POWELL (Wigan): I hope the right hon. Gentleman will allow me to say that the sentiment he has enunciated met with no sympathy whatever on these Benches.

SIR WILLIAM HARCOURT said, he was not surprised that the hon. Member for Wigan had no sympathy with those feelings; but there were Gentlemen sitting extremely near him who cheered.

COLONEL SANDYS said, that he had cheered to express his view that the Rules of Her Majesty's prisons should be maintained.

SIR WILLIAM HARCOURT said, that that meant that the hon. and gallant Member desired that no opportunity to defend themselves should be given to these men. That was the sentiment the hon. and gallant Gentleman cheered. An exceptional tribunal had been constituted, for the working of which the Government were responsible, and they all knew with what bitterness and animosity charges would be made against these men. They all knew with what ability *The Times* would be represented

at the inquiry by the leading lawyers of the combined Unionist Party, led by the hon. and learned Attorney General and the right hon. and learned Gentleman the Member for Bury (Sir Henry James). Everything that the most practised arts of advocacy could bring to bear against accused men would be brought against the Irish Members by *The Times* newspaper. And all the while these men would be lying in prison not knowing what was charged against them. That was the English justice and the unexampled generosity which was to be shown to Irish Members. If the Commission was to last a year, on the average the Government would lock up perhaps five or six Members every month, and there would be 50 or 60 men in prison at the end of a twelvemonth. Was it worth while for the Government to disregard the objects, the claims, and the principles of justice simply in order that for a few weeks longer they might keep the hon. Member (Mr. Dillon) in prison? He had heard the speech of the Home Secretary with surprise and regret, and could not hold that it applied at all to the essence of the question, which was, whether upon an indictment of this charater, it was just or not that the men charged should have the means of procuring the materials for their defence before the Commission.

SIR EDWARD CLARKE said, that for several hours the House had been discussing the Amendments in a quiet and fair spirit on both sides with the object of securing that the Bill should pass into law in a form which should, as far as possible, secure the due administration of justice. After they had been discussing the measure in that tone the whole evening, the right hon. Gentleman, after three and a-half hours of absence from the House, came back and flared into the debate with his usual temper, not attempting to address himself to the question which was immediately before the House in its practical aspects and considerations, but endeavouring, by a repetition of all sorts of taunts which hon. Gentlemen had heard over and over again during the course of these debates, to drive the discussion into an angry controversy. The right hon. Gentleman turned upon his Friend the hon. and learned Member for West Ham (Mr. Forrest Fulton), and attacked him in language which he (Sir Edward Clarke) and others of his Profession had often heard before from the right hon. Gentleman for having practised at the Old Bailey. Did the right hon. Gentleman know what the Old Bailey was? Did he know that at the Old Bailey, in the Central Criminal Court, some of the greatest trials had been conducted? Did he know that the Central Criminal Court was associated with all those great State trials at the end of the last century and the beginning of this that had done so much to vindicate the liberties of Englishmen? Did he know that it was there that some of the finest speeches recorded in the annals of the Profession to which he once belonged, and which he practised, he (Sir Edward Clarke) was bound to say, without much success, were made? It would have been a good thing for the right hon. Gentleman and the House, if he (Sir William Harcourt) had had some practice at the Old Bailey; for there he would have been taught that fairness, straightforwardness, and candour of controversy which were so lamentably absent from his speeches. It was a very practical question with which they had now to deal, and that evening they had been dealing with the Amendments in a practical way while the right hon. Gentleman had been amusing himself elsewhere. He was quite prepared to deal with the Amendment now before the House as a practical one. As it stood upon the Paper, however, it was absurd. Its terms would give leave and licence to all Members of Parliament against whom any charges or allegations might be inferred from those matters which had been published by *The Times;* it would give them leave and licence to violate as much as they pleased the provisions of the Criminal Law and Procedure (Ireland) Act; and it would give them an absolute indemnity from imprisonment for those offences during the whole time the Commission lasted. But it was proposed to amend that in some way, and to give the Commissioners power to order the release of those persons who were imprisoned under the Act. He did not, however, recognize any difference between persons imprisoned under that particular Statute and persons who were imprisoned under other Acts of Parliament. They had been asked by the hon. Member for West Belfast (Mr.

Sexton), who in the absence of the right hon. Gentleman had been discussing very fairly and frankly the Amendments before the House, what security they had that injustice would not be done? They had a security in the character of the tribunal. They were going to appoint three Judges of unchallenged honour to sit upon this tribunal. They were entrusting to them the duty of examining and reporting upon the allegations which were made in these articles. Did the right hon. Gentleman imagine that those Judges, whose names he knew and whose repute he knew, would allow themselves to report against a man with regard to charges made in these articles without taking care that he had time and opportunity to answer the charges? It was impossible to imagine that anything of the kind would occur. If it were simply a question of giving evidence, the Judges would have ample power to secure the presence before them of persons who had to give evidence. But the right hon. Gentleman said that the Government were imprisoning five or six Members of Parliament a month, and asked how long this was to be allowed to go on. He (Sir Edward Clarke) would not stop to discuss the accuracy of that statement, because accuracy of statement was with the right hon. Gentleman a mere trivial detail which it would be frivolous to discuss. Did the right hon. Gentleman propose that as long as the Commission sat no Member of Parliament should be imprisoned under the Crimes Act? If the right hon. Gentleman did not propose that, there was no point whatever in his reference to the number of Members of Parliament who were in prison under the Act. The advocacy of the Amendment by the right hon. Gentleman had shown its absurdity to the House, and hon. Members were indebted to him for having been good enough to show how ridiculous the whole thing was. He believed that hon. Members opposite might rest in the full and absolute confidence that justice in the matter would be fairly administered by the three distinguished Judges who had been appointed on the Commission, and whose honour, he repeated, had never been challenged. Such men would certainly not allow themselves in their report to say anything which would bring a stain or an imputation of crime upon any man who was mentioned in the course of these preceedings without giving him an opportunity of knowing, considering, challenging, and controverting the charges made against him.

MR. BRADLAUGH said, that according to his experience of criminal trials, when a defendant to an indictment had been in custody in this country, it had been easy to obtain from the prison authorities orders by means of which the freest communication could be held with him with reference to his defence. That was practically impossible under the system of discipline which was pursued under the Criminal Law and Procedure Act in Ireland. A defendant in a criminal trial had, to his knowledge, been permitted by the Lord Chief Justice to sit in Court for four days, while another trial was going on, in order to assist him in his defence. In the present Bill the Government were proposing to put upon Members of Parliament a harsher kind of treatment than they put upon ordinary criminals in England. Was that likely to produce a good feeling outside? There was, no doubt, something in the objection that Members of Parliament might be released under the proposed clause from a sentence which they had incurred under a law which Parliament had sanctioned, and therefore he would propose to the hon. Member who moved the clause that he should accept an Amendment to the effect that no charge or allegation should be made against any Member of Parliament before the Commission so long as such Member should be detained under the Criminal Law and Procedure (Ireland) Act, or otherwise. Surely, it would not tend to the discovery of the truth to keep a man in close confinement while a case was being built up against him by the evidence of witnesses he might never be able to get at again. He trusted that the Government, if they could not accept the clause in its present shape, would at least introduce such words as would accord a man charged before the Commission the ordinary right of a defendant to an indictment—of attending the Court where the trial took place, and be represented by counsel or solicitor.

THE CHAIRMAN OF COMMITTEES (Mr. COURTNEY) (Cornwall, Bodmin) said, he thought that the clause in the form in which it now stood on the Paper could

not be adopted; because, for one reason, it seemed to propose to establish a sort of privilege for Members of Parliament. But there was another clause on the Paper, in the name of the hon. Member for North Wexford (Mr. J. E. Redmond), which sought to provide, that where it should appear that any persons against whom charges and allegations were made before the Commissioners were imprisoned under the Criminal Law and Procedure (Ireland) Act, the Commissioners should have power, subject to such conditions as regards bail or otherwise as they might prescribe, to order the release of such persons during the pendency of the inquiry. It would, he thought, be difficult to adopt even that clause as it stood; but if it were modified, so as to give power to the Commissioners to order the release of persons to attend the inquiry, he thought many grave objections would be removed. He would point out that Clause 3 of the Bill provided that all persons implicated might attend the inquiry, and went on to declare that they might attend by solicitor or counsel. He would suggest that when Clause 3 was reached, an Amendment might be introduced, adding to it as a sub-section the words which now stood on the Paper in the name of the hon. Member for North Wexford, with such alterations as he (Mr. Courtney) had suggested.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, the Government would be very glad to adopt the suggestion of the hon. Gentleman, and insert a Proviso which should secure the attendance of such persons at and during the inquiries. He hoped, upon that understanding, that the Amendment would be withdrawn.

MR. T. P. O'CONNOR said, he thought his hon. Friend might, after that statement, withdraw his Amendment.

MR. ILLINGWORTH (Bradford, W.) (who spoke amid great interruption) said, he had to thank the hon. Gentleman the Chairman of Ways and Means for having come to the rescue of the Government, and extricated the House from the deep slough in which it had been engulfed.

Motion, and Clause, by leave, *withdrawn.*

MR. SEXTON, in moving the following Clause:—

"Provided that no person shall be called upon or summoned to answer such charges and allegations until evidence in respect thereof has been tendered to the Commissioners,"

said, he thought it was a perfectly fair provision which ought to be accepted.

Clause (No person be summoned until evidence has been tendered,)—(*Mr. Sexton,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. MATTHEWS said, the Government were unable to accept the Amendment, as it would fetter the discretion of the Judges as to the order in which the witnesses should be called. This was a matter which should be left entirely to their own judgment. To take an extreme case. It might be possible that *The Times* would not appear to offer any evidence before the Commission. Should that improbability happen, would it not be an extraordinary result that the Commissioners should be forbidden, when they came to the close of their inquiry and not having elicited evidence with regard to any particular person, to say—"We shall call the gentleman who has been spoken of." He thought the witness should be entitled to come, whether the evidence was tendered or not, and he considered it would be embarking on a very unwise and improper course to point out to this Commission, consisting of men of great judgment, what line they ought to take.

MR. T. P. O'CONNOR said, they had now another statement. They were told that *The Times* might not give any evidence at all. He wanted to know for what purpose the Bill was brought in? It was to investigate into charges made by *The Times*, but, according to the right hon. Gentleman the Home Secretary, *The Times* might not appear in the case at all. The right hon. Gentleman had solemnly told the Committee that the inquiry of the Commission into charges and allegations made by *The Times* was to be conducted without requiring or getting the evidence of *The Times* in support of these charges and allegations. [MR. MATTHEWS dissented.] That was what the right hon. Gentleman said.

If he wished to explain it he could do so. He (Mr. T. P. O'Connor) was quite unable to explain this extraordinary change of front. They had had many of these incidents in the course of the discussion, and now at 12 o'clock, on the fourth stage of the Bill, the right hon. Gentleman told them that the whole foundation and substance of the Bill was, that *The Times* might give no evidence at all before the Commission, which was supposed to investigate the charges and allegtions. He was rather surprised that the right hon. Gentleman in making so extraordinary a statement had not taken the trouble to understand the meaning of the clause of his hon. Friend. It provided that no person should be called upon or summoned to answer any charges and allegations until evidence in respect thereof had been tendered to the Commissioners. The right hon. Gentleman said that if a Member wished to come forward and clear his character from the allegations and charges made by *The Times* he could do so, and he had been good enough to express the hope that they would clear themselves. In the first place, he could assure the right hon. Gentleman that so far as the Members in question were concerned, they were absolutely indifferent to the charges, and they did not think they required a Commission or anything else to clear their characters. Therefore, the right hon. Gentleman need not be afraid of any anxiety on their part to maintain that innocence of which they were conscious. His hon. Friend had rightly proposed that nobody should be compelled to come forward to give evidence until he had something to answer; that no person should be called upon or summoned to appear until evidence had been tendered to the Commissioners. That he thought a very plain and proper provision. Why should he come forward to defend himself until he was attacked? The advantage to *The Times*, according to the right hon. Gentleman, would be this: *The Times* gave no evidence against him, yet the Commissioners would have the power of examining him, and he (Mr. T. P. O'Connor) would be compelled to lay bare all his defence before he was attacked. It was *The Times* who would call upon him to appear, and the Commission would summon him to do so; he would be compelled to give his evidence to the counsel in cross-examination and show his whole case, while, as he had pointed out, *The Times* might not have a shadow of evidence against him. He had never heard anything more contrary to the rule of fair play or common sense ever proposed.

Sir WILLIAM HARCOURT said, he thought they were entitled to have some answer from the Law Officers of the Crown, and he was quite willing to have it from the highest authority—the Central Criminal Court. He would like to know what was the meaning of the statement of the right hon. Gentleman the Home Secretary? A good deal had been said about the debates on this Bill being protracted; but he was bound to say that not an hour passed without their getting entirely new light thrown upon the matter. He believed the people would read with great interest the statement of the right hon. Gentleman the Home Secretary, that *The Times* would not appear in this Commission at all, and would offer no evidence in support of their allegations.

Mr. MATTHEWS remarked, that what he had said was, that it was probable that there would be many of the allegations made throughout the proceedings in support of which no evidence would be offered.

Sir WILLIAM HARCOURT said, that they anticipated that might be so, and that in many cases no evidence would be offered. If the right hon. Gentleman would allow him to go a little further into detail, he would specify the forged letters. Here was a Commission to inquire into charges and allegations made by *The Times* newspaper, and in the speech of the counsel for *The Times* in the case of "O'Donnell *v.* Walter and another," and the right hon. Gentleman says he does not know in how many cases, but he thought it very probable that no evidence would be given in some cases. What was to be the course of these proceedings? Here, on the case of the right hon. Gentleman the Home Secretary, was a foul accusation, in support of which the calumniator tendered no evidence, because he knew it was a libel, and when a solemn Commission of Judges was appointed, this detestable slanderer, according to the hypothesis of the right hon. Gentleman, upon some of these allegations—it might be the most

damaging—would offer no evidence because he knew that there was none. What would honest men do? According to the right hon. Gentleman, they, being in the presence of the disgraceful slanderers, who attributed to them the most hideous acts without a bit of evidence being tendered against them, were to come forward as accused persons and tender evidence themselves. In the face of the country they would say—"We treat *The Times* with the scorn and the disdain which every honest man will treat them with." When a newspaper capable, according to the friendly hypothesis of the right hon. Gentleman the Home Secretary, of having made those statements, and when a Commission was appointed to inquire into the truth of them, this same journal, which calls itself a respectable journal, offered no evidence in support of them, would be a degradation to all journalism in every part of the world. Was anyone entitled to expect that honest men would come forward to tender themselves for examination in respect of charges in support of which this foul slanderer offered no evidence at all? He knew, if he were one of those men, he would say—"A fig for your Commission! I will have nothing to do with it. I am not coming forward to tender an explanation of a disgraceful matter of this kind." According to the right hon. Gentleman the Home Secretary, a man was to be compelled to come forward when there was not even an attempt to give colour to the charges, and he was to be sent to prison if he did not attend. Did the right hon. Gentleman call that common sense or common justice? Very likely the hon. and learned Solicitor General would get up and make one of his little speeches, the same as he had made a short time ago, in defence of the course to be taken; but the common sense of the House and the country would repudiate it, and apply to it some of the principles of common sense. It was perfectly obvious that in a case of this kind *The Times* newspaper was free to inquire into anything else but the charges and allegations. This was not a Bill to inquire into everything and anything. If *The Times* newspaper could not come forward to support the allegations, as the right hon. Gentleman the Home Secretary admits in some cases might occur, why should any honest man be called upon to submit himself to examination with regard to them? Why, the judicial proceedings before the Commission would be a farce. He would tell the right hon. Gentleman what would happen if *The Times* were to sidle out from supporting the charges they had made. *The Times* would be hooted out of all society; it would be a case, not of *solvuntur risu tabulæ*, but of *solvuntur indignatione tabulæ*. Either *The Times* must come forward and attempt to produce reasonable evidence, or else the whole thing was at end. The whole plan of this arrangement was perfectly intolerable. The Government declined to enumerate the number of persons who were to be put in peril by these monstrous calulmniators. It might be said that there were hundreds and thousands whose character was to be put at stake by the slanderer who, according to the hypothesis of the right hon. Gentleman, was to offer no evidence before the Commission. If there were only one man in peril, he would be entitled to say that, under such circumstances, the inquiry was not only an injustice but an absurdity.

SIR EDWARD CLARKE said, the right hon. Gentleman the Member for Derby was quite mistaken in saying that he was going to make the same speech which he had made on the previous clause. He was in the habit of adapting his speeches to the circumstances of the case. He had at least more than one speech; he had made a speech on the former occasion appropriate to it, and he would now make one adapted to the present subject. He would not follow the right hon. Gentleman into his speculations with regard to the conduct of this tribunal in investigating the charges. The right hon. Gentleman said that they were dealing with a calumniator and a base, detestable slanderer, and so on.

SIR WILLIAM HARCOURT said, he begged pardon. He said, on the hypothesis of the right hon. Gentleman the Home Secretary, that a man who made charges and allegations, and tendered no evidence in support of them, was a base calumniator.

SIR EDWARD CLARKE said, the right hon. Gentleman had spoken about detestable slanderers and calumniators, and had coupled with that an attack on *The Times*, in which he practically

stated that *The Times* was a calumniator. He did not challenge the right of anyone to hold that opinion, but that was the very question which the Commission had to decide. If the accusations of *The Times* turned out to be baseless, the right hon. Gentleman would have full liberty and justification for indulging in his own peculiar vein of oratory. No one would then grudge him the satisfaction, and hon. Gentlemen on those Benches would be glad to avail themselves of his vigorous voice in denunciation. On the other hand, if these accusations turned out to be true, the right hon. Gentleman must acknowledge that, as Parliament had constituted this tribunal to consider whether the accusations were true or false, he was a little premature in his use of those epithets with which he had so lavishly strewn his speech. The right hon. Gentleman contended that, if evidence was not tendered against certain persons, they would be entitled to say—"A fig for your Commission," and to set it at nought. He thought the right hon. Gentleman was mistaken there. This tribunal was established by Act of Parliament for the purpose of discovering what was the truth with regard to these very serious matters, and hon. Members might depend upon it that the Commission would discover the truth, and would be strong enough to bring before it anyone who could give information to enable it to report on the subject. His right hon. Friend had never suggested that *The Times* might shrink entirely from the discussion, and abstain from calling evidence; but if this clause were accepted the result would be rather remarkable. The clause provided that nobody should be called upon to deal with anything that might imply accusations against him until some evidence with regard to them had been tendered to the Commissioners. In the first place, he was not sure whether the Commissioners would consider it as a matter of tendering evidence at all; when they had read the articles it would be open to them to say what branch of the question they would begin upon, and what evidence they would require from any person, whether it came from *The Times* or others mentioned in the course of the proceedings. He was not saying what course he would think it right to take if he were one of the Judges. He was only protesting against anything being said on those Benches at any time—of course, hon. Gentlemen opposite were irresponsible — which would limit the power of the Commissioners in any way whatever. Supposing that a serious accusation were being dealt with, and a person, whether a Member or not of that House, affected by that accusation, desired at once to give evidence in answer to it, the tribunal might examine him with regard to any matters before it, and it would be tying and limiting the action of the tribunal in an intolerable degree if the person before them could say—"I will not answer that question because it deals with matters on which no evidence has been produced on the other side."

Mr. SEXTON said, the clause referred to persons summoned by the Commission. He thought that if a person appeared on the table he could not excuse himself from answering questions.

Sir EDWARD CLARKE said, that the right hon. Gentleman opposite had accepted the construction which he had put on the clause earlier in his speech, that nobody should be called upon to deal with anything that might imply an accusation against him until evidence had been brought forward with regard to it. But surely, where hon. Members were charged, it was not a question of summoning them to give evidence; it would not be necessary to compel them to come forward; they would be anxious to come to the tribunal and tender themselves as witnesses with reference to this matter. If it was to be a question of the tribunal having power to issue compulsory process to drag them to Court, directly the inquiry was set on foot and evidence was being taken by the Commission, the man among them who shrank from tendering himself as a witness would run very serious risk of having his character grievously damaged before the world. It would be almost as great as if he had confessed that he had participated in the actions charged. They were dealing with the case of those Gentlemen who had been asking for a Committee of the House of Commons to clear themselves, and when they had three Judges appointed to inquire into these matters, he would not do them the injustice to suppose that they would shrink from the tribunal, and that they

would require to be dragged to the doors of the Court by a clause of this kind. If the clause was to be interpreted in that way, it was too trivial to be put in the Bill at all. He pointed out that the clause would be unnecessary, and that if it were adopted it would certainly not tend to the discovery of truth.

MR. MOLLOY (King's Co., Birr) said, the ingenuity of the hon. and learned Solicitor General had been somewhat at fault in the arguments he had given. It often happened that Gentlemen placed in a similar position fell into mistakes. He wanted to refer to an extraordinary statement in the speech just made. It was made in answer to a clause proposed to the Bill at an earlier period of the evening, and the hon. and learned Solicitor General had then scouted the idea that anyone would be summoned before the Commission until some evidence had been given of some charge against him. The hon. and learned Solicitor General had used the argument, that it was absurd to suppose that anyone would be called upon to answer a charge before evidence was given upon it. That was exactly what the hon. and learned Solicitor General had said that evening, and it was in direct contradiction to the argument used earlier. The hon. and learned Gentleman did not appear to have read the clause of his hon. Friend, which provided that no person should be called upon or summoned to answer such charges and allegations until evidence in support thereof had been tendered to the Commissoners. Then what was the argument of the right hon. Gentleman the Home Secretary ? This again contradicted the argument of the hon. and learned Solicitor General. The right hon. Gentleman the Home Secretary said that evidence never having been offered as to some of the charges, we might never hear anything more about them. Supposing *The Times* withdrew, by its not producing evidence, the charges it had made against hon. Members, according to the right hon. Gentleman the Commissioners would have to examine into them. This was the argument used by the right hon. Gentleman, that some of these charges might not be brought forward at all and no evidence offered upon them, and then he said—"You must not restrict the Judges in their examination." Supposing in the case of the forged letters, *The Times* being satisfied with the falsity of the charge with reference to those letters, were to offer no evidence and were to withdraw the charge and admit their falsity, yet the Judges were to examine into this matter without any intimation from *The Times* or not, whether they intended to produce evidence upon it. Was any position so ridiculous ever placed before a Commission? It was simply ridiculous, and it was because the Government would not accept the common and ordinary practice in every Court of every civilized country of the world that they had got themselves into this difficulty. An hon. Member had proposed, at the Committee stage, an Amendment to the effect that the Judges should draw up a statement, or decide upon the charges which were to be made. That had been rejected by the right hon. Gentleman the Home Secretary on the ground that it would be restricting the power of the Judges, and the Amendment was accordingly lost. Here, again, came in the inconsistency of the right hon. Gentleman. He said, on a former Amendment, that if the Judges were called upon to decide in this question, as a matter of common sense they would consider what charges should be gone into; and yet, in order to support his argument this evening, he said that the Judges might, and probably would, decide to go into all the charges which had been made and for which no evidence would be given. He thought that the right hon. Gentleman and the hon. and learned Solicitor General ought to consult together on this subject. Was it to be supposed that the whole aim and object of the Government was to protect *The Times*? If they did not accept the clause, and after the absurd doctrine urged to-night, it could not be wondered at if the people gave an opinion adverse to the Government.

MR. STAVELEY HILL (Staffordshire, Kingswinford) said, that the hon. and learned Solicitor General's recollection of his Old Bailey practice did not carry much weight when compared with the Constitutional knowledge of the hon. and learned Member opposite. He wished to present to the right hon. Gentleman the Home Secretary the practical difficulty which occurred to his mind in this matter. Was it intended that this state of things should take place—that the speech of the hon. and learned At-

torney General was to be placed in evidence, and that any person implicated by the statements in that speech should be summoned to give answer with reference to the charges and allegations? If it was intended that it should be sufficient for *The Times* to put in their own counsel's speech, and without further evidence being given in support of the charges and allegations contained in it that the persons charged were to be called upon to meet the case thus suggested against them, he might say that a more roving Commission could scarcely be devised. Let it be remembered that the hon. and learned Attorney General spoke as counsel for *The Times*, and it would be seen that such a proceeding was not one which the House of Commons would authorize. Unless the right hon. Gentleman the Home Secretary could tell the Committee that this was not intended, or unless he could show that the clause was unnecessary, he should certainly vote for the clause then before the Committee.

MR. P. STANHOPE (Wednesbury) said, he was always glad to succeed his hon. and learned Colleague when he made a speech that was satisfactory to those who sat on that side of the House. The hon. and learned Solicitor General seemed to think it was necessary, in order to defend the constitution of the tribunal, that any lawyer who rose to discuss that matter should have had some training at the Old Bailey. He ventured to think this was not a lawyer's question, but one which should be treated by men of common sense who thoroughly appreciated public sentiment in the matter, and he was glad to see his hon. and learned Friend the Member for Kingswinford (Mr. Staveley Hill) rise and treat it from a common sense point of view. The hon. and learned Solicitor General and the right hon. Gentleman the Home Secretary both assumed that, without *The Times* being required to put in any evidence in support of their charges, everyone named would be required to tender his own evidence upon the *ex parte* statement of the hon. and learned Attorney General. That was a position which he did not think even Members opposite were willing to take up. He was much surprised to see on the last clause that it had remained solely for the Chairman of Committees to rise and put forward what was the general opinion of the House, and to get the assent of the House to that very reasonable clause. But he hoped with regard to this clause, which might or not be capable of modification, that it would be accepted. He did not want to offer any further remarks except to say that the object of the clause was that, with regard to those individuals who happened casually to be mentioned in the articles called *Parnellism and Crime* or the speech of the hon. and learned Attorney General, it should not be necessary for any one of them to come before the Commission unless *The Times* supported its charges by some additional pieces of evidence. He hoped the House would assent to the principle contained in the clause of his hon. Friend, and he would, in conclusion, congratulate the House on the fact that there were one or two independent Members on the opposite Benches capable of taking a common sense view of the matter.

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale) said, he rose for the same purpose as the hon. Gentleman who had just sat down. Although he did not come to the same conclusion, he desired also that this matter should be treated not as a purely legal question, but as one of common sense; and without entering into any consideration of what might possibly be the course of parties concerned, he pointed out that there was a general principle on which the House might be advised not to accept this clause. It seemed to him to be unnecessary, if they had any confidence whatever in the tribunal to be created, to set to work to fetter their proceedings. The House might be absolutely certain that no rules they might make that evening would provide for every contingency which might arise, and that circumstances would arise on which the Commissioners would be obliged to act upon their judgment and upon their knowledge of the principles of justice. Then, why were they to make a rule for this case and a rule for that case, being perfectly certain that they would not be able to make rules which would suffice for meeting every emergency that might arise? My right hon. Friend the Member for Derby (Sir William Harcourt), in a speech he just delivered, pictured to the House that it was probable, according to the statement of the

right hon. Gentleman the Home Secretary, that *The Times* would take a course which he characterized as of incredible meanness; and my right hon. Friend immediately arrived at the conclusion that the Commissioners would back up *The Times* in taking that course of incredible meanness, and relieve it of the discredit of having made charges which it is unwilling to substantiate. That appears to me to be a course so absolutely impossible that if we have any confidence whatever in the Commission we are creating it is an absolute waste of time on our part to endeavour to frame rules which will prevent that Commission from taking the course which my right hon. Friend has so described as one of incredible meanness. I would ask the House not to endeavour to embarrass the Commission by framing rules which are not necessary, and which can only be embarrassing. The course of their procedure is a matter which the Commission itself should determine, and I think we shall only waste our time and do nothing to promote the ends of justice by endeavouring to fetter the action of the Commission in regard to their rules of procedure.

MR. FIRTH said, that the difficulty in this case had arisen from the exceptional nature of the Commission and the exceptional nature of the powers it was proposed to confer upon it. If the Commission was able to proceed as an ordinary inquiry at law, the necessity for this clause would not arise. The clause provided that no person could be called upon to answer charges until evidence had been given in respect of those charges or had been tendered to the Commission. That proposal embraced the ordinary proceding at law. That was a proposal based upon justice, upon legal precedent, on the best method of ascertaining the truth, and of doing justice between man and man. Why was this custom not followed in regard to the Commission? It was because the Commission, from root to branch, was unjust in its nature, and in its intention, and would be unjust in its effect. [*Cries of* "Oh!"] Yes; it must be so. Why should men be called upon to answer when no charges were made against them? They were not called upon to answer in any Court of Law, and, therefore, why should they be called upon to answer before a Commission appointed by Act of Parliament. He had not himself taken much part in these discussions, but he had watched them with much interest, and he had noticed to-night the way in which propositions which would be accepted anywhere else in any form of inquiry known to our Constitution had been practically evaded in this case. There had been the question of particulars, and the question of the letters coming first, and so on. Propositions dealing with these subjects had been treated in the most extraordinary manner. There was another point why they should make the procedure of the Commission the same as in ordinary Courts of Law. It was said that they might rely upon the Commissioners. Certainly, in some respects; but the Commissioners might safely receive instructions. He might say at once that he would have no hesitation in trusting himself, or his dearest friend, to the honour of the three Commissioners to be appointed under the Act; but he submitted that these Gentlemen would be themselves extremely puzzled as to what course to take and what line to pursue. ["No, no!"] Well, if they were not, that was surely a reason why they should pursue the ordinary line followed in ordinary actions for libel. Most hon. Members were familiar with the procedure which would be adopted if the case were an action for libel, and he apprehended that, after all, justice was the thing they were supposed to be aiming at. Supposing the Judges had no instructions whatever, and supposing they took the course which his right hon. Friend the Home Secretary suggested the other night, when the question of the letters was under discussion, the matter would be a very serious one indeed, as it would tend to bring the men who administered the Common Law under an amount of animadversion that he would be sorry to see them under. He believed that his hon. Friends on that side of the House did a certain amount of injustice to the Judges; but be that as it might, he was of opinion that the Judges should be required, as a matter of ordinary justice, to take a course which was a settled one in similar proceedings at law—a course in accordance with justice—namely, that the persons against whom charges were brought in *The Times* articles, as well as other men, should

be deemed to be and should be treated as innocent until evidence had been given to prove them guilty.

Mr. T. C. HARRINGTON (Dublin, Harbour) said, it struck him, in listening to the speech of the noble Marquess (the Marquess of Hartington) that the noble Marquess would not have addressed his observations to the House if he had first listened to the observations of the right hon. Gentleman the Home Secretary and the hon. and learned Solicitor General. If the speeches of the right hon. Gentlemen the Home Secretary and the hon. and learned Solicitor General had been made in the same spirit as that in which the noble Marquess had spoken, he (Mr. T. C. Harrington) would have had some difficulty in meeting the argument against the acceptance of the clause. If they had been told that they should have confidence in the Commission, and that the House might rest satisfied that the Commissioners would not depart from the usual method of conducting these cases, the House would have been in a totally different position. But the two speeches from the Treasury Benches showed that not only was it possible for the Commission to depart from the usual procedure adopted by Courts of Law, but that it was in the minds of the hon. and right hon. Gentlemen who had spoken for the Government to use what influence they could to induce the Commissioners to depart from that ordinary procedure. The right hon. Gentleman the Home Secretary had argued that if *The Times* did not come forward and specify the charges that the Irish Members might not be permitted to give evidence. The point was not whether or not they might be permitted to go before the Commissioners, but whether or not the power should reside with the Commissioners of being able to compel them to go up for the purpose of subjecting themselves to a fishing cross-examination on the part of *The Times*. That was the tender of the observations of the right hon. Gentleman the Home Secretary opposite. It was useless to tell the House that the characters of Irish Members were at stake in this matter, and that they must not hamper the Commission with the objectionable proposal which was here made. If the suggestion before the House went no further than usual procedure in Courts of Law, and no accusation could be made against a man before the Commission had power to compel him to come up and answer it, how did they interfere with the discretion, or in any way impede the progress of the Commission by laying this down as an express rule? They were now in a much worse position than if this question had never been raised at all. For his own part, he had thought that the clause was quite unnecessary, and he had expressed the opinion to some of his hon. Friends that such was the case; but having listened to the two speeches of the Government Representatives opposite, not only did he think that the clause was necessary, but that if they did not have it they would go into the case with their hands tied.

Mr. CLANCY said, that what had been stated by the noble Marquess the Member for Rossendale showed how the Unionist policy had developed. Unionists began by denying Home Rule to the Irish Party, then they passed a stringent Coercion Bill, and now they declared that men were bound to prove their innocence before even a *primâ facie* case was made against them. To his (Mr. Clancy's) mind, the effect of the speech of the noble Marquess was altogether against the clause, and in favour of the Government in seeking to invert the great principles which guided the administration of justice in England, and which no Government would dare to invert except in the case of Irish Members. He had thought they had heard quite enough about the distrust felt by the Irish Members of the Judges who formed this Commission, and the insults thereby inflicted by those Judges—that argument had been used now *usque ad nauseam*. The fact was that rules were frequently inserted in Acts of Parliament compelling Judges to do certain things or restraining them from doing certain other things. But according to the noble Marquess they could not pass a single rule as affecting the conduct of the Judge without deliberately insulting that Judge. Surely the noble Marquess was aware that Acts of Parliament had been passed containing all codes of rules for the control of the action of the Judges, and he had never heard it said that any one of these proceedings in Acts of Parliament had been looked upon as offering an insult to the Judges of England. The noble

Marquess said that the proposal now made would show a want of confidence in the Judges. Well, to express want of confidence in a Judge was, no doubt, to insult him. He (Mr. Clancy) desired chiefly to remark that they now knew why the Government declined to produce the schedule of charges. They had heard it said by the right hon. Gentleman the Home Secretary to-night that it was possible that no *primâ facie* evidence might be given to any single charge or allegation made in *The Times* articles. The right hon. Gentleman had stated quite distinctly that it was perfectly possible for *The Times* not to give a single piece of evidence in support of any charge or allegation which they had made.

MR. MATTHEWS said, he had twice positively contradicted that statement. What he said was that there might be some allegations with regard to which evidence might not be tendered.

MR. CLANCY said, he did not see any difference between that statement and the statement he had made. He submitted that they now knew why it was that the Government had refused their demand for a schedule of charges. It would appear that the Government knew from the commencement that *The Times* was not going to present any evidence in favour of some of the charges. [*Laughter.*] The right hon. Gentleman opposite laughed, he (Mr. Clancy) supposed at the insinuation that the Government were in collusion with *The Times*. Well, he (Mr. Clancy) had his own opinion upon that subject, and so had they all on that (the Opposition) side of the House; and the course of the discussion had not tended to dispel that opinion in the least. The statement made by the right hon. Gentleman the Home Secretary in the course of the discussion had certainly not disturbed that opinion—the admission that there might be some points on which *The Times* might not advance any evidence. That admission confirmed him (Mr. Clancy) in the opinion he had always held that there was collusion between the Government and *The Times* on this matter. But now it appeared that they were to have no schedule of charges; that they were to have no schedule of persons and no particulars of charges advanced, and now it seemed that they were to have no substantive proof offered of a single charge—or at any rate they might not have such substantive proof. Furthermore, it seemed that they were now to have an inversion of rules of procedure never seen in England before. Under the proposed system they did away with the old rule that a man was to be considered innocent until his guilt was proved, and that it lay with the accuser to prove a man's guilt. He hoped the House and the country would understand to-morrow morning and hereafter that the Government were contending against a principle which in the case of an English Member, or a Scotch Member, or a Welsh Member, they would not dare to contend against. They would contend only against this principle in the case of an Irish Member. He desired in the strongest manner to draw attention to the fact that even on this clause the Leader of the Liberal Unionist Party did not think it becoming in him to keep silent, but found it necessary to stand up and speak for the Government.

SIR CHARLES RUSSELL said, he thought the hon. Gentleman who had just sat down had done some injustice to the noble Marquess. So far from having opposed the clause in the sense and the spirit in which he (Sir Charles Russell) understood it to be opposed by the hon. and learned Solictor General and the right hon. Gentleman the Home Secretary, the noble Marquess had opposed it in an entirely different sense and spirit. On the first reading of the clause he (Sir Charles Russell) had come to the conclusion and had expressed the opinion that it was not a clause which was in any sense necessary, because he could not, for one, feel the least doubt that a Commission of Judges of the eminence of those who were to form this inquiry would proceed by analogy with the proceedings of Courts of Law, and would not dream of calling accused persons to answer accusations of which no evidence whatever had been advanced. But he (Sir Charles Russell) was bound to point out—and he did so without offence—that the speeches of the right hon. Gentleman the Home Secretary and of the hon. and learned Gentleman the Solicitor General had given to this clause an importance which otherwise it did not possess. If, even now, it could be gathered from the statements of Gentlemen on the Government Bench that the

Government were opposing this clause not because they desired the Commission to pursue such an extraordinary course of proceeding as had been suggested, but because of the reason put forward by the noble Marquess that it was absolutely unnecessary to point out the course which obviously the Judges would take, he did not think the discussion would occupy any length of time. After what had occurred, however, and in reference to the attitude taken up by the right hon. Gentleman the Home Secretary and the hon. and learned Gentleman the Solicitor General, he hoped the House would come to a decision favourable to the clause—and he trusted the House would do so as speedily as possible.

MR. M. J. KENNY (Tyrone, Mid) said, that with regard to the speeches of the right hon. Gentleman the Home Secretary and the hon. and learned Solicitor General, it was perfectly clear that the object of the Government was to suggest to *The Times* the exact method of procedure which they should adopt. The right hon. Gentleman the Home Secretary had distinctly pointed out that it was possible for the hon. and learned Attorney General to tender his speech in the case of "O'Donnell *v.* Walter" to the Commissioners without supporting it by evidence. There could be no doubt that *The Times* would proceed upon that suggestion, and would give such evidence as it chose to give in regard to certain charges and would omit to give evidence as to other charges. The course would be by general charges and allegations to implicate as many Irish Members as possible, and having done so, those Members would be called before the Commission and asked to prove their innocence. He (Mr. M. J. Kenny) was not disposed to doubt the honour or the uprightness of the Judges who would form the Commission, or to doubt that they would prevent *The Times* from playing any such trick; but even if the Commission was to be relied upon perfectly, that surely was no argument against the acceptance of this clause. The words of the clause were not words of limitation at all, but were simply words of direction, and when the House remembered that this was the only rule which was now sought to be applied to the action of the Judges in this inquiry, he thought it would be seen that it was one which might well be favourably received. He thought, moreover, that the voice of the hon. and learned Member for the Kingswinford Division of Staffordshire (Mr. Staveley Hill) was one to which the Government ought not to turn a deaf ear, seeing that he was one of their own supporters. So far as this Commission was concerned, as it was at present proposed to constitute it, it would bear the strongest resemblance to one of the secret Courts under the Crimes Act. They would be able to call anyone before them and say—"Prove your innocence, or else we shall report that you are guilty of the accusations made against you." They would, he presumed, be able to conduct their inquiry in secret, and to ask any person any question they thought fit. In conclusion, he must say he was surprised and astonished to see the hon. and learned Solicitor General and the right hon. Gentleman the Home Secretary, both distinguished lawyers, stand up and say that it would be unfair and unreasonable to apply to the Commissioners one of the first and elementary rules of procedure in connection with leading inquiries in this country.

MR. STAVELEY HILL said, that with the indulgence of the House—and he could only speak again with that indulgence—he should like to ask the right hon. Gentleman the Home Secretary, whether he intended that persons who were charged under the speech of the hon. and learned Attorney General in the case of "O'Donnell *v.* Walter" were to be called on to answer those charges before any *primâ facie* evidence at all was given further than the allegations of *The Times*?

MR. MATTHEWS said, it was only by the indulgence of the House that he also could speak. He intended nothing of the kind suggested by the hon. and learned Gentleman, but only exactly what the Bill said. Three Judges of the highest standing and character in this country were to inquire into the subject matter which had been laid before the public in a certain series of newspaper articles. Those Judges could inquire into that matter by any method they thought fit, just as a Coroner, holding an inquiry into the cause of the death of an individual, might summon before

him any witnesses who, in his opinion, were likely to throw light upon the matter.

MR. WEBSTER (St. Pancras, E.) said, that whilst in common with every other Member of the House he felt absolute confidence in those who were to try the case, he could not help feeling that there was a great deal of force in some of the arguments used by right hon. and hon. Gentlemen on the Opposition side of the House. This inquiry, if he were not mistaken, was to go into certain articles which had been issued from time to time, and into an important speech delivered in a recent trial. He did not see how these articles and this speech could be called *primâ facie* evidence. In criminal trials in this country there was a prior investigation before the Grand Jury; but the procedure under the present measure would be different, and if all the Irish Members came forward to give evidence to rebut charges made against them before a *primâ facie* case was made out, they would have the Commission sitting for an intolerably long time. Was the idea to be that these hon. Members and everybody else were to prove their innocence? If that was so, he could not assent to it. He thought that first of all they should have allegations brought against them in order that they might know in what manner they were to defend characters. Certainly, if the clause were pressed to a Division, he should vote for it.

MR. WINTERBOTHAM (Gloucester, Cirencester) said, that when the right hon. Gentleman the Home Secretary made his remarkable speech at the beginning of the evening he (Mr. Winterbotham) had had the audacity to laugh, and the right hon. Gentleman had called attention to that laugh. But the question was no laughing matter. He did not wish to say anything about the legal aspect of the case; but rather as it would be regarded by ordinary common sense men of business in the country, and as it would be regarded by jurists in America and on the Continent, who were watching the proceedings of this House, and who, he submitted, when they knew what was being done, would think the refusal of this clause unworthy of the justice and fair play of Englishmen. What really did the opposition to this clause mean? The speeches of the right hon. Gentleman the Home Secretary and of the hon. and learned Gentleman the Solicitor General distinctly meant this —that this book *Parnellism and Crime* (with a sort of inspired sanctity about it, like the Koran) was to be thrown before the Commission, without any proof being brought forward as to the truth of the allegations and accusations it contained unless *The Times* chose to bring such forward. *The Times*, it seemed, moreover, was to decide how many of these charges it should endeavour to substantiate and how many it should not. Certain Members of Parliament had originally been assured that this Bill was brought in for their benefit—as an act of justice to enable them to clear their characters before the country—they were to "take it or leave it," in the words of the right hon. Gentleman the Leader of the House. The Bill now had reduced itself to this—that these foul accusations of crime were to be thrown upon the Irish Members without any evidence whatever being required in support of them, and hon. Members were to be expected to come forward before the Commission and answer those charges. [*Cries of* "No, no!"] Yes; that was so most distinctly, however much hon. Members opposite cried out "No." That was the way in which the country would regard it, and that was the way in which the world would regard it. Two of the Members on the Front Ministerial Bench had said that when the statements contained in the speech of the hon. and learned Attorney General and in *Parnellism and Crime* were before the Commission it was to be expected that the Irish Members would come forward and tender themselves as witnesses, and neither wait until they were summoned or for evidence to be adduced, but to require that, he submitted, was a denial of English fair play. He was extremely glad that two Members on the other side of the House had stood up on behalf of fair play, and on behalf of those of their Colleagues on the Opposition side of the House whose characters were attacked. He (Mr. Winterbotham) should be surprised if it were not found, when the Division was taken, that a great many more Members on the Ministerial side of the House went into the Lobby to protest against this abominably unjust proceeding of the Government.

MR. ADDISON (Ashton-under-Lyne) said, he must express his astonishment at the extraordinary speech of the hon. Member who had just sat down as to the opinion of the whole House and the whole world upon this matter. If the whole world supposed what the hon. Member seemed to think, the whole world would go round in a most extraordinary and foolish way. The fallacy which underlay a great many speeches which he (Mr. Addison) had heard to-night was too evident for any lawyer not to see through it. If it had not been for the respect he felt for his hon. and learned Friend the Member for the Kingswinford Division of Staffordshire (Mr. Staveley Hill) he should have said he would not have been very much astonished indeed to hear any lawyer of standing say a word in favour of the clause or in support of speeches which had been made by hon. Members opposite, seeing that those speeches proceeded on the fallacious notion that *The Times* on the one hand and the hon. Member for Cork on the other were to fight this matter out as a sort of legal fence as between A and B—that was to say, that the proceedings were to be guided by the rules and procedure applicable to Common Law trials. But that was not so. The Commission was not to try a case as between A and B, but to try the statements and arguments which both parties put forward. If *The Times* were to keep dark, as hon. Members opposite suggested they would, the result would be that the Commissioners would send for *The Times* or those responsible for the production of that journal, and cross-examine them upon their acts and allegations. That at once showed the difference between an inquiry of this kind and a sort of legal fence where all the rules of the game were to be observed. He (Mr. Addison) had said these few words, because he had been unable to sit there any longer and listen to the speeches which were being made with that patience which he usually displayed—he had been unable to sit there as "One who dareth not, and in whose mouth is no reproof."

Question put.

The House *divided:*—Ayes 109; Noes 178: Majority 69.—(Div. List, No. 264.)

MR. SEXTON said, he begged to move—

"Provided that the Commissioners shall hear the evidence of all persons produced as witnesses by or on behalf of any person affected by any of such charges or allegations."

He had asked that the accuser should be called upon to state his case before the persons charged were called on to reply, but that claim had been denied. The Government, by their majority, had denied to Members of that House and to others concerned the application of a primary and indispensable rule of justice which had never in the legal procedure of this country yet been denied to the worst or meanest criminal. The hon. and learned Solicitor General, however, thought that, even if the provision of the right hon. Gentleman the Home Secretary should prove correct, and that *The Times* should abstain from making good its charges, the Commission would be strong enough to compel everyone to pay attention to its behests and to absolve himself from the charge which had been made. He (Mr. Sexton) ventured most respectfully to doubt that. He thought he knew enough of the public opinion of this country—he had some little knowledge of the English people, and he ventured to hope that the public opinion of England would sustain a public man or a Member of a particular Party who scorned to take any knowledge of the ribaldry and the venom of *The Times*, the hereditary enemy of Ireland and the Irish race, if, when the time came, this cowardly libeller skulked in the dark and forebore to bring his charges to the proof. It remained, however, to be seen what would happen. He was content, now that the House had determined that matter, to waive that point; but he would ask that, if the case against the Irish Members was not to be made out, that, at least, they themselves should be allowed to make a case. He could understand, in the case of a Royal Commission appointed to inquire into public and notorious facts, where no charges were made against persons—the case, for instance, of the outrages in Sheffield, and of the Belfast riots—he could understand that the Commissioners in such cases might take upon themselves the functions of deciding what evidence should be collected and what should not, because it was manifest that in such cases they should

be able to determine in regard to public facts not touching individuals, at what stage of their inquiry they had received a sufficiency of evidence. But he submitted respectfully, that when the characters of individuals were concerned and charges were made against persons, the Commissioners would not be in a position to judge when a sufficiency of evidence had been given. [*Interruption.*] There was an easy way out of the difficulty that hon. Members opposite seemed to make—he could move the adjournment of the debate. The time had come when the House seemed to be weary, or when the House appeared disposed to indecision, which was the same thing. What he was endeavouring to point out was, that the Commissioners, when no charge was made against individuals, might easily decide that sufficient evidence had been given, but that where the characters of individuals were concerned, and where people were placed upon their defence, and where the results, though they would not be in the nature of actual punishment in the shape of imprisonment, would be as serious and as grave as though the highest punishment known to the law could be inflicted, it was not for the Commissioners to decide when sufficient evidence had been tendered. No one could be in that position but the persons concerned. He would put it in this way—suppose the hon. Member for Cork (Mr. Parnell) without any case having been previously made by *The Times*—and they might look forward to that possibility, grotesque as it might seem—supposing the hon. Member for Cork were placed on his defence, would the right hon. Gentleman the Home Secretary, in regard to any evidence the Commissioners might be justified to call, contend that the Commissioners were the Judges as to whether that evidence was likely to be material or not? He (Mr. Sexton) submitted that no one but the hon. Member for Cork or his counsel could have any idea whether the evidence was or was not material and indispensable. It might perhaps be than when his hon. Friend opened his case, whether it was after *The Times* had made its case or before, he might be called upon to continue it and complete it without information from the other side. He might have brought his witnesses together from various parts of the world at great expense, and might not be allowed to examine them. However wise and sagacious the Commissioners might be, he contended that they were not and could not be in a position to determine whether or not certain evidence would be material, and that, therefore, discretion as to the calling of witnesses should obviously rest with his hon. Friend. If the Commissioners refused to call one witness tendered by his hon. Friend, or of any other person charged, would the right hon. Gentleman the Home Secretary deny that by that refusal they might not commit a fatal error against justice? Would he not admit, at any rate, that if the Commissioners refused to call a witness, the person who desired that witness to be called would be for ever afterwards able to impeach the inquiry, and say that he had been denied a fair opportunity of making his defence? He waited with some anxiety the reply of the Government on that point. Did it not occur to the right hon. Gentleman the Home Secretary that in a case like this, involving the names and characters of the persons charged with crime or criminality, and residing out of the jurisdiction of the Queen, it might be impossible for the hon. Gentleman the Member for Cork, or for any other person charged, to procure the evidence required to enable him to establish his innocence, unless by the adoption of the rule that the person whom he proposed to call might be assured that if he came into Court he would be examined, and that after the disclaimers he might make he would be entitled to a certificate of indemnity. This was all he desired to say. He placed these two principles before the House. If this clause was not carried, the case would stand thus—that *The Times* would not be under any obligation to proceed to prove its case, and that the Irish Members would be placed in the position of having to reply to a case which had not been proved, and in regard to which they might be at any moment so embarrassed by the proceedings of the Commissioners as to make it impossible for them to present a complete defence. That, he maintained, would in a double aspect amount to a scandalous denial of justice, and he left the House to imagine what course

public men would feel it necessary to adopt if they were placed under such conditions.

Clause (Hearing of all persons produced as witnesses,)—(*Mr. Sexton,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. T. P. O'CONNOR said, that before the debate proceeded any further on this clause he should like to ask the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) if he did not think that the hour had now arrived at which they could suspend the extremely laborious operation which the House had been allowed to go through since 4 o'clock that evening. The right hon. Gentleman knew that hon. Gentlemen had to be in the House again at 12 o'clock to-morrow (Wednesday), within 10 hours of the present time. He did not himself think that the remaining clauses would occupy any considerable period, and he was glad to be able to agree with the hon. and learned Gentleman the Solicitor General in the statement that the debate on the clauses this evening, although the subjects dealt with were very grave, had been adopted in a spirit of good temper and moderation. He did not think the right hon. Gentleman the Leader of the House himself would say that too long a time had been spent on the discussion. With one exception—namely, a conflict between the right hon. Gentleman and the Member for Derby (Sir William Harcourt), in which time, the Government would say, had been wasted by the latter, but in which he (Mr. T. P. O'Connor) believed that time had been wasted by the right hon. Gentleman, the debate to-night had been terse and relevant, and he thought that he could venture to appeal to the right hon. Gentleman not to subject the House, as it was showing all the signs of weariness, to further labour. He would propose that the small remaining portion of the clauses should be postponed for consideration to-morrow. He trusted the right hon. Gentleman would not take the admission he made that the amount of work to be done in connection with the clauses was small, as an argument against his suggestion, but would remember that it was a much more serious thing to spend two or three hours at this late period of the night in discussing clauses than it would be to devote a similar period to their consideration to-morrow.

MR. W. H. SMITH said, he fully appreciated the spirit in which the hon. Gentleman had spoken, but he thought the House really desired, if possible, to conclude the Bill to-night. Any postponement of the measure must involve another day's delay and possibly put back the holidays — which they were all looking forward to—for a day. He would not insist upon going on with the Bill if he did not think that the House had disposed of the most important questions on the Paper and if he did not believe there was now a disposition on the part of the House to come to a decision on the questions which still remained for consideration. He trusted that the House generally would support him in the view he took and would allow the proceedings on this Bill to be concluded to-night.

SIR WILLIAM HARCOURT said, he hoped that the hon. Gentleman would at least allow the debate to go on for an hour longer, but he did not think that they could enter into any engagement with the Government that the whole of the clauses should be disposed of to-night, as that question would very much depend upon the character of the discussions which might arise. He did not think that anyone could say that the discussions which had taken place during the last two or three hours had been unimportant. The speech of the hon. Gentleman the Chairman of Ways and Means (Mr. Courtney) on one of the clauses just now, showed the extreme importance of the discussion. He thought that they might be allowed to go on and see what progress would be made.

MR. T. P. O'CONNOR said, he did not move, and he did not intend to move, the adjournment of the debate, and he should be very happy to assent to the suggestion of the right hon. Gentleman the Member for Derby, that they should go on for another hour.

MR. MATTHEWS said, he could not accept the clause which had been moved by the hon. Member for West Belfast

(Mr. Sexton) as they might as well provide that the witnesses should not be gagged or handcuffed. He was sorry to have to oppose these clauses so persistently, but every one of them seemed to be irrelevant to the inquiry.

SIR WILLIAM HARCOURT suggested that the clause should not be pressed. The words implied that there might be some specific issues raised which were irrelevant to those to be decided, and the clause, therefore, applied to evidence which would be irrelevant to those issues.

Motion and Clause, by leave, *withdrawn.*

MR. T. P. O'CONNOR said, he had placed upon the Paper a clause which, having regard to the advanced hour, he hoped the right hon. Gentleman the Home Secretary would accept without discussion—[MR. MATTHEWS dissented.] As the right hon. Gentleman did not accept it he should have to offer a few arguments in support of it. His proposal was that so far as related to the charges and allegations against Members of Parliament, the proceedings should be conducted in the same manner as in a case of libel. Now, the necessity for the clause had been emphasized and increased by some of the discussions which had taken place on previous clauses, and especially by the speeches of the right hon. Gentleman the Home Secretary and the hon. and learned Solicitor General on the clauses of his hon. Friend the Member for West Belfast. He wanted to guard against hon. Members being asked to defend themselves before any charges were made and under circumstances which might make very unequal the struggle between them and their assailants. He did not think that in asking this he was making an unreasonable request. If any one were to take action against *The Times*, the proprietor would be called upon to substantiate the charges before the other parties would be required to make defence. If that was so, why should the rules which had been imposed on Courts of Law by the common consent of centuries be altogether altered or reversed? It was not fair that hon. Members should be called upon to enter upon their defence before any charges were made against them; nor was it fair that *The Times* should not be called upon to take the ordinary and common-sense course of bringing forward proof. He put these two arguments forward with confidence, and expected the Government would accept the clause.

Clause (Proceedings to be conducted as in an action for libel,)—(*Mr. T. P. O'Connor,*)—*brought up*, and read the first time:—

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. MATTHEWS said, the effect of the Clause would be to force hon. Gentlemen opposite to do the very thing against which they argued for two hours the other night. He thought hon. Members had misconceived the whole theory with regard to their coming forward. The clause would plainly have the effect of preventing the Commissioners embarking on any cause of inquiry which, if evidence arose, might be of the utmost importance. He did not say that the Members of Parliament concerned would not act with perfect fairness, but he did not see how they could take upon themselves to speak for other persons. Other persons were much more severely attacked, and he did not see, if the Clause were accepted, what would be the course of action taken with regard to them.

MR. T. P. O'CONNOR said, he proposed to amend the Clause by adding "and other persons."

MR. MATTHEWS said, he could hardly grasp the idea of a case of libel in which there were thousands of plaintiffs, each of whom would open his case and each of whom would have the right of reply.

SIR CHARLES RUSSELL said, he must, in following the right hon. Gentleman the Home Secretary, begin by saying that he did not think his answer had shown that he realized the importance and significance of this clause. If he had, certainly he thought the House would agree that he had not given very satisfactory reasons for refusing to accept it. The first observation the right hon. Gentleman made was that it was entirely inconsistent with Amendments which had been previously proposed, and he said that in a case of libel the plaintiff would be obliged to go into the witness-box. That was so, provided a case were made out for him to answer. The

right hon. Gentleman seemed entirely to forget that the case of Mr. O'Donnell failed, not because he would not go into the witness-box, but because the Judge ruled that 19-20ths of the libel had no reference to him at all, and with regard to the rest that the jury found it was fair comment on his conduct. How did this matter stand? In a case of libel where the charges were defined in time, place, and circumstance, and where the disproof rested mainly or entirely on the knowledge or upon the evidence of the plaintiff, it was undoubtedly the custom straightway to put the plaintiff into the witness-box; but, on the other hand, where the charges extended over a considerable period of time and embraced a great body of charges, and those charges were conveyed rather by insinuation than by direct statement and accusation, then he said it would be, generally speaking, unwise and impolitic to put the plaintiff in the box in the first instance. If what he had said were correct, and he believed it would be readily assented to by those acquainted with the subject, the objection of the right hon. Gentleman fell to the ground, because the evidence of persons charged would not be required until there was at least a *primâ facie* case in justification. The next point of the right hon. Gentleman was that the clause was based upon an entirely mistaken view of the character of the Bill and that this was not a matter of litigation between *The Times* on the one hand and certain Members of Parliament on the other. But what was the Bill? It was entitled, "Members of Parliament (Charges and Allegations) Bill," and the Preamble was that certain charges and allegations had been made against certain Members of Parliament and other persons by the defendants in the course of the proceedings in the case of "O'Donnell *v.* Walter and another." Therefore they had, as the foundation of the proceedings, the charges and allegations coming from the defendants in the case of "O'Donnell *v.* Walter," and they had those charges and allegations levelled at certain Members of Parliament; and he wanted to know, so far as those charges and allegations were concerned, what was the objection to pursuing the true and accurate analogy of proceedings in action for libel, because the clause did not apply to charges and allegations against other persons — it was confined, as far as he understood, to Members of Parliament. He admitted that the Bill had two objects—one of those was inquiry into the charges and allegations against Members of Parliament, and the other took the form of what he might call a wider inquiry into charges and allegations against other persons. With regard to the second branch of the Inquiry, the clause was not applicable to that at all, but with regard to the first branch he submitted that no reason had been given why the analogy of action for libel should not be followed. He pointed out that in taking this view of the matter the Government might feel certain to have the sanction of *The Times*; because in an article on the 17th of July *The Times* used these words:—

> "We are compelled to assume that Mr. Parnell will place himself unreservedly in the same position before the judicial tribunal to be constituted by the Bill, as that in which he would have stood if he had been in the position of the plaintiff in the recent inquiry.

Therefore the Government need not fear that they would not have the approval of *The Times* in taking this course. When the hon. Member for Cork made his demand specifically that he should have this right, almost in the words of this clause, the right hon. Gentleman the Home Secretary followed him, and in relation to that demand used the language which he had already referred to—namely, that it should be a judicial inquiry, and that he was very pleased to accede to the demand of the hon. Gentleman; and at a later stage of the discussion, when he (Sir Charles Russell) remarked that the right hon. Gentleman conceded that this should be a judicial proceeding as the hon. Member for Cork wished, the right hon. Gentleman said—

> "I was answering the demand of the hon. Member for Cork, who said, 'We demand to be treated as if we were plaintiffs in an action for libel, with counsel to open our case and reply.'"

That was the language of the right hon. Gentleman himself.

MR. MATTHEWS said, he had read that himself once before. It was not accurately reported.

SIR CHARLES RUSSELL: The right hon. Gentleman was quoting it in order to point to the demand made that this should be a judicial inquiry, and he

said that the case was to be treated as in an action for libel, with counsel to open the case and reply. He said the right hon. Gentleman was then making a concession, and that the hon. Member for Cork, who claimed to be in no worse position before the Commission than he would be in if, in the language of *The Times*' article, he had assumed the position of plaintiff in the case of "O'Donnell *v.* Walter." He said that the demand made was intrinsically just, and that it did not narrow the scope of the inquiry into any of the charges against the Members of Parliament named, or against the conduct of other persons in connection with them, which would be full, absolute, and unmistakable. For these reasons, he thought the clause was one which the Government might fairly accept; he saw no mischief to the cause of truth and justice in it, and he felt certain that if it were accepted it would facilitate the passage of the Bill.

MR. FINLAY said, he had not heard any serious arguments adduced in support of the distinction which the clause proposed to make between Members of Parliament and other persons. On what principle of common sense or justice was one measure to be applied to those who happened to be Members of Parliament and another measure to those who did not happen to be so? He would call the attention of his hon. and learned Friend (Sir Charles Russell) to one or two points. He agreed with his remarks as to the practice in cases of libel, but pointed out that the charges against the hon. Member for Cork were definite enough in regard to the letters. He should be amazed if his hon. and learned Friend were to suggest that in any action brought by the hon. Member for Cork against *The Times* newspaper in respect of their charging him with having written those letters, the hon. Member should not go into the witness-box. Would not his hon. and learned Friend put the hon. Member for Cork into the witness-box in the first instance? He felt sure that that course would be taken by his hon. and learned Friend if he had charge of the case. When a definite charge was made, he apprehended it would be contrary to the rule of the Court and the ordinary practice not to put the plaintiff in an action for libel into the box. He felt confident and sanguine that his hon. and learned Friend would agree that, although this clause proposed that the same practice should be adopted as if the inquiry were an action for libel in which the hon. Members were plaintiffs, such an action had never been heard of. He ventured to say that his right hon. Friend had never heard of a large number of persons joining together in one action with respect to a variety of charges affecting them differently. There was no precedent for the proposal; it was absolutely unintelligible, and would throw upon the Commissioners a task absolutely impossible.

Question put.

The House *divided* :—Ayes 93 ; Noes 169 : Majority 76.—(Div. List, No. 265.)

MR. SEXTON said, he begged to move the following Clause :—

"The Commissioners may, in their discretion, at any stage of the inquiry, order any person appearing before them in support of any of the said charges and allegations to specify such charge or allegation in such manner, and with such particulars, as the Commissioners may deem to be necessary or expedient in the interests of justice."

The Government had refused to give them a Schedule of the charges in the Bill, and had done that because they were so chivalrous-minded that they would not become accusers. They had also refused to direct that *The Times* should specify charges; and now he proposed that if it should appear to the Commissioners to be necessary or expedient in the interests of justice that any charge should be specific and particularized, they should have power to order such specification to be made and such particulars to be given. He was bound in theory—in Parliamentary theory—to suppose that the Government were impartial in the case, although he was certain that this inquiry was the subject of Party hopes and Party fears amongst hon. and right hon. Gentlemen on the Ministerial side of the House, which hopes and fears were none the less strong because those who entertained them had not the courage or the honesty to avow them. It might happen in regard to a vague charge or allegation in the course of this inquiry that where opportunities were given the investigation might be facilitated by a curtailment of evidence and a conse-

quent saving of time. What was the position of the Judges? The Government regarded them with unbounded confidence. They refused to lay down any rule or even to put any suggestion in the Bill for their guidance, and the result was that their discretion would be absolutely unlimited. They were, no doubt, right in having unbounded confidence in the Judges, seeing that they had selected them from their own particular adherents. But the House would acknowledge that men would not cease to have political opinions and prejudices because they were appointed to the position of Judge. The Government had, as a matter of fact, selected three political supporters of their own to inquire into the action of their political opponents; therefore, they were justified in feeling confidence in them. They would admit, therefore, that if the Judges thought it necessary and expedient in the interests of justice to do this thing that he suggested in the clause, the thing ought to be done. If it were not necessary in the interests of justice to order witnesses to specify charges, the Judge would not make such order; but if it were necessary, they should have power to do it.

Clause (Specifications of allegations by persons appearing before Commissioners,)—(*Mr. Sexton,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the said clause be now read a second time."

MR. LABOUCHERE said, it was now 10 minutes past 2 o'clock. About 40 minutes ago the right hon. Gentleman the Member for Derby suggested that they should go on for an hour or so longer; but all Members of the House did not possess the magnificent physique of his right hon. Friend. They had been sitting for over 10 hours, and if they disposed of the Bill in half-an-hour it would, perhaps, even yet, be reasonable to go on; but he did not think it was possible to go through the Bill in that space of time. Under the circumstances, he begged to move that the debate be now adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Labouchere.*)

MR. W. H. SMITH said, he must appeal to the House to make further progress with the measure. He did not wish to at all press the point beyond the understanding at which they had arrived 40 minutes ago; but it appeared to him that they could, without any difficulty whatever, dispose of the new clauses before the adjournment of the House. It was impossible to dispose of the Report altogether, although he thought they might have done so if hon. Gentlemen had cared to make the effort, and had been a little more moderate in the length of their observations.

MR. T. P. O'CONNOR said, he would point out to the right hon. Gentleman that the misfortune, which he lamented as much as the right hon. Gentleman, was now upon them, because the House now saw that it was impossible to conclude to-night the whole of the Report stage. He submitted that it was only a common sense view to take, that if they were to have some of this Bill left over until the next Sitting, it would be just as well for them to postpone the remaining new Clauses as well as the remaining Amendments. It would only be a question of half-an-hour or a quarter of an hour at the next Sitting, which was very little in a day's Business when hon. Members had had some sleep; but it was a very serious consideration at such an hour as this. He was sure his hon. Friends would, at the next Sitting, if the debate were now adjourned, confine their observations within reasonable limits.

MR. W. H. SMITH said, he must again appeal to hon. Gentlemen to go on, as he believed they could finish the new clause in a very few moments. His object was to endeavour to advance the Bill and serve the convenience of hon. Gentlemen. He did not, however, wish to enter into any contest in the matter. If hon. Gentlemen were content to give a little more time to the debate, he thought they would have no difficulty in finishing the new clauses. He would point out that it was the intention of the Government to accept the new clause which stood next on the Paper, in the name of the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor).

MR. ANDERSON said, he would ask the right hon. Gentleman whether he

was aware that at 12 o'clock at the next Sitting they were going to consider 600 clauses of the Scottish Burgh (Police) Bill? Had the right hon. Gentleman any consideration for the Scotch Members who were anxious to take part in the debate on the present Bill, and who were also looking forward to an interesting discussion on matters in which Irish Members took no interest. Supposing the clauses of the present Bill were not concluded to-night, would they be taken at 12 o'clock to-day or would they be postponed?

MR. W. H. SMITH said, that it was because he wanted to fulfil his pledge to Scotch Members that he was anxious to finish this Bill in the present Sitting. If the Report stage was not concluded now, they must resume it at 12 o'clock to-day, a proceeding which would seriously delay Scotch Business and the adjournment of the House, which they were all anxious to arrive at.

COLONEL NOLAN said, he trusted the right hon. Gentleman would bring into force some of his well-known common sense in this matter. He would ask him how hon. Members could possibly be at Prayers at 12 o'clock if they were to go on Sitting beyond the present hour? They used to have difficulty in getting to the House in good time on Wednesdays after a long Sitting under the old system; but now they were out of practice altogether, and it would be impossible for them to get to bed before a quarter to 3 o'clock, and they would then only have nine hours to sleep and eat their breakfast, and would have to be back here at 12 o'clock.

MR. W. H. SMITH said, he should like to ask hon. Gentlemen below the Gangway opposite if there was any possibility of arriving at an understanding as to the hour at which the Bill should be read to-morrow?

MR. LABOUCHERE: No.

MR. W. H. SMITH was anxious to suit the convenience of the House and at the same time forward the Business of the House. He should be glad to do that if possible, and he would put it to the Irish Members whether it was not possible to arrive at some understanding in the matter?

MR. PARNELL said, he did not know whether that was quite a fair question to put, as he did not carry the opinions of English Members on that side of the House in his pocket; but if the right hon. Gentleman proposed to get through the new clauses, the advice he would venture to give would be that if the House could not settle down to that task the right hon. Gentleman would do well to save both his own energies and the energies of the House by agreeing to the adjournment at once. He (Mr. Parnell) quite agreed with the right hon. Gentleman that the new clauses would not occupy a long time, especially after the concession he had made with regard to the clause standing in the name of the hon. Gentleman the Member for the Scotland Division of Liverpool. The discussion on the remaining clauses would not take a long time, either now or at the next Sitting. He did not, however, think that it was a very practical question that was being insisted upon at the present moment, either on one side or the other, and he would suggest that they should be a little more reasonable, and that if they were to go on to-night they should, instead of wasting time disputing over the Motion for Adjournment, go on with the new clauses and try to settle the matter, unless the right hon. Gentleman the Leader of the House would agree to an adjournment at once.

MR. W. H. SMITH said, he thought it would be well to adopt the suggestion of the hon. Member for Cork, and finish the new clauses now.

MR. LABOUCHERE said, he did not understand the right hon. Gentleman. Did he mean to say that when they had finished the new clauses they should conclude the Bill altogether? Or, that the understanding was to be when the new clauses were disposed of, the debate should be adjourned? His (Mr. Labouchere's) intervention, he might say, was perfectly benevolent, as he was going to bed.

MR. W. H. SMITH said, the understanding was, that when they had finished the new clauses they should postpone the further proceedings of the Bill until 12 o'clock to-day, with a view of passing the final stage of the Bill.

MR. WALLACE (Edinburgh, E.) said he understood that the right hon. Gentleman's anxiety was very much concerned with his desire to keep faith with the Scotch Members to-morrow—or, rather, at an advanced portion of to-day. But how could that be done if

the right hon. Gentleman exhausted them? The right hon. Gentleman seemed to forget that it was the duty of the Scotch Members as well as his own duty to consider the clauses of the Bill now before the House. The Scotch Members had their Imperial duties and their local ones, and if they were to go on in the performance of their Imperial duties in connection with this Bill they would be totally unfit to-morrow to go on with the consideration of the Police Burghs Bill. If they wore out the Scotch Members to-night, they might be keeping the spirit of the promise to the ear and breaking it to the hope. They should let the Scotch Members away now, so that they might come back in a reasonable condition of refreshment and strength for the discharge of their overpowering and impossible duties of to-morrow.

MR. LABOUCHERE said, he would ask leave to withdraw the Motion.

Motion, by leave, *withdrawn.*

SIR EDWARD CLARKE said, that with regard to the clause moved by the hon. Gentleman the Member for West Belfast (Mr. Sexton), the question had been discussed very often in many different shapes, and it appeared to be the desire of the House to recognize that the Commissioners should have full control over the inquiry. No doubt, when the evidence was brought before them they would see to what point it was directed, and they would take care that no hardship should be imposed upon anyone in anything upon which they were called upon to pronounce judgment. As to two of the Judges, he had no knowledge whatever of their political opinions; but he had had long experience of the legal and impartial characteristics of all three, and he had no doubt that they would give the case the fairest hearing in all its branches and details.

Original Question put, and *negatived.*

MR. T. P. O'CONNOR said, he begged to move the following new Clause:—

"A warrant or order for the arrest, detention, or imprisonment of a person for contempt of the Commissioners shall, notwithstanding the special Commission is dissolved or otherwise determined, be and remain as valid and effectual in all respects as if the special Commission were not so dissolved or otherwise determined, and upon such dissolution or determination all the powers, rights, and privileges of the Commissioners with respect to such warrant or order, and to a person arrested, detained, or imprisoned, or to be arrested, detained, or imprisoned by virtue thereof, shall devolve upon and be exercised by the Queen's Bench Division of the High Court of Justice or a judge thereof; and such contempt, and a proceeding with respect thereto, shall not be in anywise affected by such dissolution or determination of the special Commission."

He understood the Government would accept this Amendment.

Clause (Committal of a person shall not be affected by dissolution of Commission,)—(*Mr. T. P. O'Connor,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. MATTHEWS said, the Government had no objection to the clause on the understanding that the hon. Member for Cork dropped the Amendment on line 5, to which the Government had indicated it was their intention to assent.

MR. PARNELL: Yes; I have consented to withdraw the Amendment.

Question put, and *agreed to.*

Clause read a second time, and *added.*

MR. SEXTON said, he now wished to move the addition of the following Clause:—

"Where a witness has been committed to prison for any contempt, the warrant of commitment shall set forth the grounds of such commitment, and it shall be lawful for any Court or Judge to inquire, upon an application for habeas corpus, into all the facts and grounds of such commitment, and where the discharge of a prisoner is ordered, to award him against such parties, as shall seem just, the reasonable costs of such application."

The object of the clause was to apply the general law with regard to committal for contempt to cases under the Commission appointed by this Bill. He did not think that the Government would question that it was desirable to do that.

Clause (Provision where witness is committed for contempt,)—(*Mr. Sexton,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

SIR EDWARD CLARKE said, it would be introducing an entirely new

practice, which did not apply to any other legal inquiry.

Question put, and *negatived.*

MR. W. H. SMITH said, that if the hon. Member for the Scotland Division of Liverpool would move his Amendment on Clause 2, he (Mr. W. H. Smith) would move the adjournment of the debate.

Amendment proposed, in Clause 2, page 1, line 22, after the word "have," to insert the words "in addition to the special powers hereinafter provided."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

Motion made, and Question, "That the debate be now adjourned,"—(*Mr. W. H. Smith,*)—put, and *agreed to.*

Further Proceedings *adjourned* till *To-morrow.*

MOVEABLE ABODES BILL.—[BILL 200.]
(*Mr. Burt, Mr. Caine, Dr. Cameron, Mr. Penrose Fitzgerald, Mr. Lewis Fry, Mr. T. M. Healy, Mr. Hozier.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question, "That this Bill be now read a second time,"—(*Mr. Burt,*) put.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I object. [*Cries of* "Too late!"]

MR. TOMLINSON (Preston): I think the objection was taken before the Question was put.

MR. SPEAKER: I never heard an objection raised.

Question put, and a Division challenged.

MR. SPEAKER: A Division cannot be taken at this hour.

MR. BURT (Morpeth): I will then move that the Order be discharged.

Motion made, and Question, "That the said Order be discharged,"—(*Mr. Burt,*)—put, and *agreed to.*

Order *discharged;* Bill *withdrawn.*

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Jackson.*)

MR. ESSLEMONT (Aberdeen, S.) said, he hoped the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) would say what he proposed to do with regard to Scotch Business. Many Scotch Members had made arrangements in the belief that Wednesday would be given up to the discussion of Scotch measures. In the event of the Scotch Members being deprived of the main portion of Wednesday, would the opportunity be given of renewing the consideration of Scotch Business on Thursday, for a portion of the day at all events? Great inconvenience would result to many of his hon. Friends if the Business were delayed.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he was well aware of the inconvenience that would result to hon. Members by delay, and he greatly regretted it. He had hoped to conclude the Report on the Commission Bill to-night, and thus be able to place the whole of Wednesday at the disposal of Scotch Members. The Bail Bill was put down for to-morrow, and he trusted it might be reached in sufficient time to be disposed of. If that should, unfortunately, not be the case, he would endeavour to make arrangements to suit the convenience of Scotch Members.

MR. ESSLEMONT: On Thursday?

MR. W. H. SMITH said, he would endeavour to do so if possible.

MR. ESSLEMONT said, he thought it was as well they should know at once whether any more Scotch Business was to be taken this Session?

MR. W. H. SMITH said, he could not speak positively until he saw what was done to-morrow.

SIR WILFRID LAWSON (Cumberland, Cockermouth) asked, if it was to be understood that the third reading of the Commission Bill would be taken immediately after Report?

MR. W. H. SMITH: That is the understanding.

MR. W. P. SINCLAIR (Falkirk, &c.) asked, what was the intention of the Government with regard to the Scotch Burgh Police and Health Bill. Would it be taken on Thursday, or postponed until the Sitting in the autumn?

MR. W. H. SMITH said, he would endeavour to ascertain whether there was any reasonable hope of the Bill

passing on Thursday. Representations had been made to him that considerable objection was entertained to the Bill; if that was so, it would clearly be a waste of time to take the Bill on Thursday.

SIR WILFRID LAWSON said, that when he spoke just now of an understanding he did not speak for anyone else but himself.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) reminded the House that the conversation a short time ago only had reference to the Amendments to the Charges and Allegations Bill on Report.

Motion, by leave, *withdrawn*.

ARMY ESTIMATES [AUGUST 4]—
CANADIAN REMOUNTS.
CORRECTION.

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford): Mr. Speaker, I desire to correct a statement which I made in Committee of Supply on Saturday last on the Army Estimates. In reply to a question with regard to the purchase of horses, I said that no horses were at this moment being bought out of this country; but I subsequently found that as regards Canada the right hon. Gentleman the Secretary of State for War (Mr. E. Stanhope) has allowed a small purchase of horses for this year, not exceeding 100, with the view of keeping open that market in case of emergency. I mention this now in order that the House may have the exact facts before them.

MOTION.

—o—

MUNICIPAL FUNDS (IRELAND) BILL.

On Motion of Mr. Jackson, Bill to authorise the application of Funds of Municipal Corporations and other governing bodies of towns in Ireland, in certain cases, *ordered* to be brought in by Mr. Jackson, Mr. Arthur Balfour, and Mr. Chancellor of the Exchequer.

Bill *presented*, and read the first time. [Bill 371.]

House adjourned at a quarter before Three o'clock.

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When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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INDIA (*Questions*)
Administration of Justice—Alleged Degrading Examination of a Hindoo Girl at Patna, Question, Mr. S. Smith; Answer, The Under Secretary of State for India (Sir John Gorst) *July* 24, 319; Question, Observations, Lord Stanley of Alderley; Reply, The Secretary of State for India (Viscount Cross) *July* 30, 722
Army Medical Service Examination, Question, Dr. Tanner; Answer, The Under Secretary of State for India *July* 26, 530

INDIA—*cont.*
Coolies—Mortality in Tea Gardens, Question, Mr. S. Smith; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *Aug* 6, 1687
Merchandize Marks Act, 1887—*Extension to India*, Question, Mr. Howard Vincent; Answer, The Under Secretary of State for India *Aug* 3, 1392
Public Service Commissioners—The Report, Question, Mr. Johnston; Answer, The Under Secretary of State for India *Aug* 3, 1392
Railways—Great Indian Peninsular Railway Company, Question, Mr. Labouchere; Answer, The Under Secretary of State for India *Aug* 7, 1848
Sir Lepel Griffin, Questions, Mr. Bradlaugh; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *Aug* 6, 1685
The Queen's Proclamation, 1858—*Eurasians and Europeans*, Question, Mr. Labouchere; Answer, The Under Secretary of State for India *Aug* 7, 1849
The Tea Companies—The Government Excise System (*Darjeeling*), Question, Sir Roper Lethbridge; Answer, The Under Secretary of State for India *Aug* 3, 1393

Contagious Diseases Acts
Resolutions of June 5—*The Cantonment Acts*, Questions, Mr. James Stuart; Answers, The Under Secretary of State for India (Sir John Gorst) *July* 24, 323; *July* 31, 937; *Aug* 2, 1232; *Aug* 3, 1413
Lock Hospitals—Statistics, Questions, Mr. James Stuart, Mr. M'Laren; Answers, The Under Secretary of State for India *Aug* 2, 1233

East India (*Hyderabad* (*Deccan*) *Mining Company*)
Charges against Officials, Question, Sir Roper Lethbridge; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *July* 27, 674
The Report—Premature Publication, Statement, Sir Henry James; Questions, Sir George Campbell, Mr. T. D. Sullivan; Answers, The Secretary to the Treasury (Mr. Jackson) *Aug* 4, 1559; Question, Mr. Wootton Isaacson; Answer, The Secretary to the Treasury (Mr. Jackson) *Aug* 7, 1836

India—East India (*Revenue Accounts*)
Ordered, That the several Accounts and Papers which have been presented to the House, in this Session of Parliament, relating to the Revenues of India, be referred to the consideration of a Committee of the whole House *Aug* 6
Resolved, That this House will, on Thursday, resolve itself into the said Committee

Indian Councils Act, 1861, Amendment Bill [H.L.] (*The Viscount Cross*)
l. Read 2ª *July* 26, 502 (No. 221)
Committee *; Report *July* 27
Read 3ª * *July* 30

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Industrial Schools Bill [H.L.]

(*The Earl Brownlow*)

l. Presented; read 1ª* *Aug* 3 (No. 251)

IRELAND (*Questions*)

American Visitors—Police Supervision, Questions, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour); Question, Dr. Tanner [no reply] *July* 27, 661

Arms Licences — Conviction of James Lee, Abbeyfeale Petty Sessions, Questions, Mr. J. E. Ellis, Mr. W. Abraham (Limerick, W.), Mr. Maurice Healy; Answers, The Chief Secretary *July* 26, 528; Question, Mr. W. Abraham (Limerick, W.); Answer, The Chief Secretary *July* 30, 750

Transfer of a Gun Licence, Questions, Dr. Tanner; Answers, The Chief Secretary *July* 27, 663

Bankruptcy—Adjudications, &c., Co. Limerick, Question, Mr. O'Keeffe; Answer, The Solicitor General for Ireland (Mr. Madden) *Aug* 2, 1234

Cattle Diseases Acts (Ireland) — Persons Charged with Offences, Question, Mr. W. J. Corbet; Answer, The Chief Secretary *July* 26, 523

Civil Bill Act (Ireland)—Memorial of Officers, Question, Mr. Maurice Healy; Answer, The Solicitor General for Ireland (Mr. Madden) *Aug* 6, 1691

Customs Officers, Queenstown — The Allan Steamship Company, Question, Mr. Lane; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) *July* 31, 958

Fisheries (Ireland) Act, 1863—*Section* 27—*Ex-Officio Conservators*, Question, Mr. O'Keeffe; Answer, The Solicitor General for Ireland (Mr. Madden) *July* 24, 321

Literature, Science, and Art—The Botanic Gardens, Glasnevin, Dublin — Professor M'Nab's Laboratory, Questions, Dr. Tanner; Answers, The Secretary to the Treasury (Mr. Jackson) *Aug* 6, 1682, 1716

Science and Art Department—Lace Making in Ireland, Questions, Mr. Justin M'Carthy; Answers, The Secretary to the Treasury *July* 26, 523; *Aug* 2, 1219

National Library for Ireland, Question, Dr. Tanner; Answer, The Vice President of the Council (Sir William Hart Dyke) *Aug* 7, 1826

Parliamentary Electors—Revision Courts—Dublin Districts, Question, Mr. Edward Harrington; Answer, The Chief Secretary *Aug* 2, 1218

Poor Law and Medical Charities Acts (Ireland) —Pensions to Medical Officers of Unions, &c., Question, Dr. Kenny; Answer, The Solicitor General for Ireland (Mr. Madden) *Aug* 6, 1715

Registration of Deeds and Assurances—Insanitary Condition of the Office, Question, Mr. Mac Neill; Answer, The Secretary to the Treasury (Mr. Jackson) *Aug* 2, 1210

Registration of Voters—Remuneration of Clerks of the Peace, Question, Mr. Arthur O'Connor; Answer, The Chief Secretary *July* 23, 184

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IRELAND—*cont.*

Sunday Labour in Bakeries—Evasion of the Law, Question, Mr. Nolan; Answer, The Solicitor General for Ireland (Mr. Madden) *Aug* 6, 1713

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887

Arrest of a Member (Mr. James O'Kelly, M.P.), Question, Sir Wilfrid Lawson; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *July* 25, 432

Letter received by Mr. Speaker *July* 25, 495

Questions, Mr. Parnell; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour), The Solicitor General for Ireland (Mr. Madden) [Further Questions thereon] *July* 25, 495; Question, Mr. Hayden; Answer, The Chief Secretary [Further Questions thereon] *July* 26, 551; Question, Mr. O'Kelly; Answer, The Solicitor General for Ireland (Mr. Madden) *July* 27, 719; Question, Mr. Parnell; Answer, The Solicitor General for Ireland (Mr. Madden) *July* 30, 765

The Member for East Mayo (Mr. John Dillon) —Conditional Order of Habeas Corpus, Question, Mr. Chance; Answer, The Chief Secretary *July* 25, 500

Health of, Questions, Mr. Mac Neill, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 26, 530

Imprisonment of, Petition presented *July* 30, 729; Moved, "That the Petition be read by the Clerk at the Table" (*Mr. Dillwyn*); Motion agreed to; Petition read

Release of Mr. Latchford, J.P.—The Debate of August 6, Question, The Lord Mayor of Dublin (Mr. Sexton); Answer, The Chief Secretary *Aug* 7, 1853

Treatment of Prisoners—Father M'Fadden, Questions, Mr. Arthur O'Connor; Answers, The Chief Secretary *Aug* 7, 1851

Midnight Meeting at Woodford—Prosecutions, Question, Mr. Shaw Lefevre; Answer, The Chief Secretary *July* 27, 672

The Miltown Malbay Alleged Conspiracy, Questions, Mr. Clancy, Mr. J. E. Redmond; Answers, The Chief Secretary *July* 24, 331

Prisoners in Limerick Gaol, Question, Mr. O'Keeffe; Answer, The Chief Secretary *July* 23, 194

PUBLIC MEETINGS (IRELAND)

Orange Demonstration, Co. Down—Mr. Brownlow, J.P., Question, Mr. Clancy; Answer, The Chief Secretary *July* 26, 537; Questions, Mr. Clancy, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 30, 749

Orange Demonstration at Enniskillen—The Queen's Regulations — Sergeant Major Hounsel, Questions, Mr. W. Redmond; Answers, The Secretary of State for War (Mr. E. Stanhope) *July* 24, 325; Question, Mr. Carew; Answer, The Secretary of State for War *Aug* 6, 1687

Colonel Kinloch, Questions, Mr. W. Redmond; Answers, The Secretary of State for War *July* 24, 326; *Aug* 2, 1236

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IRELAND—*Public Meetings*—cont.
The Royal Irish Constabulary Codes, 1887-8, Questions, Mr. T. M. Healy, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 30, 732

LOCAL GOVERNMENT (IRELAND)
Collection of County Cess, Questions, Mr. Finucane, The Lord Mayor of Dublin (Mr. Sexton), Mr. Edward Harrington; Answers, The Solicitor General for Ireland (Mr. Madden) *Aug* 6, 1719

LOCAL GOVERNMENT BOARD (IRELAND)
Mullingar Water Act, 1885—*The Board of Guardians*, Question, Mr. Paulton; Answer, The Chief Secretary *July* 26, 551

LABOURERS (IRELAND) ACTS
"Land League Hut" at Macroom, Questions, Mr. Macartney, Dr. Tanner, Mr. Chance, Mr. Maurice Healy; Answers, The Chief Secretary *July* 26, 535

LAND (IRELAND)
Landlord and Tenant—Ejectment and Civil Bill Decrees, Questions, Mr. M'Cartan; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) *July* 27, 658; *July* 30, 758
The Lord Lieutenant's County Down Tenantry—Mr. Hugh Ferguson, Question, Mr. M'Cartan; Answer, The Solicitor General for Ireland (Mr. Madden) *Aug* 6, 1702; Questions, Mr. M'Cartan; Answers, The Chief Secretary *Aug* 7, 1844

Leaseholds—Peculiar Conditions of Leases in Co. Down—"Attorneys-at-Law," Questions, Mr. M'Cartan; Answers, The Solicitor General for Ireland (Mr. Madden) *Aug* 6, 1707

LAND LAW (IRELAND) ACT, 1881
Sec. 19—*Labourers' Dwellings*, Questions, Sir Charles Lewis, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Solicitor General for Ireland (Mr. Madden) *Aug* 6, 1681

LAND LAW (IRELAND) ACT, 1887
Persons Evicted and Reinstated, Questions, Mr. Mahony; Answers, The Chief Secretary *Aug* 7, 1831

PURCHASE OF LAND (IRELAND) ACT, 1885
Question, Observations, The Earl of Milltown; Reply, The Lord President of the Council (Viscount Cranbrook) *Aug* 6, 1636
Results, Questions, Mr. W. P. Sinclair, Mr. Maurice Healy, Mr. W. Redmond; Answers, The Chief Secretary *July* 26, 516

IRISH LAND COMMISSION
Sittings in Limerick—Costs of Appeal, Questions, Mr. W. Abraham (Limerick, W.); Answers, The Chief Secretary *July* 30, 740; Questions, Mr. Finucane, Mr. M'Cartan; Answers, The Chief Secretary *Aug* 7, 1834

The Land Court—Sitting in Londonderry Co., Question, Mr. Lea; Answer, The Chief Secretary *July* 31, 938

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IRELAND—*Irish Land Commission*—cont.
Cases Listed in Co. Antrim, Questions, Mr. W. P. Sinclair, Mr. M'Cartan; Answers, The Solicitor General for Ireland (Mr. Madden) *Aug* 6, 1683

Fair Rents
Application of James Keely, Co. Kildare, Question, Mr. Carew; Answer, The Chief Secretary *July* 30, 739

Sub-Commissioners
Questions, Mr. Maurice Healy; Answers, The Chief Secretary *July* 31, 948; Question, Mr. M'Cartan; Answer, The Chief Secretary *Aug* 3, 1412

NATIONAL EDUCATION (IRELAND)
Cost of the Model Schools, Question, Mr. Pinkerton; Answer, The Chief Secretary *July* 27, 655
Examinations for Teachers, &c.—The Government Training College, Question, Mr. Biggar; Answer, The Chief Secretary *July* 23, 180
Religious Instruction in the Government Training College, Question, Mr. Biggar; Answer, The Chief Secretary *Aug* 7, 1830; —*Roman Catholic Students*, Question, Mr. Biggar; Answer, The Chief Secretary *July* 30, 730
Female Teachers, Question, Mr. Hayden; Answer, The Chief Secretary *July* 26, 531
Sir Patrick J. Keenan, Resident Commissioner, Question, The Lord Mayor of Dublin (Mr. Sexton); Answer, The Chief Secretary *July* 26, 549; Questions, Dr. Kenny; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) *Aug* 2, 1241; *Aug* 3, 1395

PIERS AND HARBOURS (IRELAND)
Dues at Ardglass, Co. Down, Questions, Mr. M'Cartan; Answers, The Secretary to the Treasury (Mr. Jackson) *July* 26, 545
Ballycotton Harbour, Questions, Dr. Tanner, Mr. Flynn; Answers, Sir Herbert Maxwell (A Lord of the Treasury) *July* 23, 203
Ballycotton Pier, Question, Dr. Tanner; Answer, Sir Herbert Maxwell (A Lord of the Treasury) *July* 23, 201; Questions, Dr. Tanner; Answers, The Secretary to the Treasury (Mr. Jackson) *July* 26, 544; Questions, Mr. Flynn, Dr. Tanner; Answers, The Secretary to the Treasury *July* 30, 741; Question, Mr. Flynn; Answer, The Secretary to the Treasury *Aug* 2, 1219
Newcastle Pier, Co. Down, Questions, Mr. M'Cartan, Colonel Waring; Answers, The Secretary to the Treasury *Aug* 6, 1706
Rosslare Harbour, Wexford, Questions, Mr. J. Barry; Answers, The Chancellor of the Exchequer (Mr. Goschen) *Aug* 6, 1713

INLAND NAVIGATION AND DRAINAGE (IRELAND)
Floods on the Lower Bann, Question, Mr. Lea; Answer, The Chief Secretary *July* 23, 201; Question, Mr. Lea; Answer, The Chief Secretary; Question, Mr. Johnston [no reply] *Aug* 7, 1847
The Barrow, Questions, Mr. W. A. Macdonald, Mr. Flynn; Answers, The Chief Secretary *July* 30, 752

IRELAND—*cont.*

LUNATIC ASYLUMS (IRELAND)

Circular of Sir West Ridgway, Questions, Mr. O'Keeffe, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 30, 741

POOR LAW (IRELAND)

Salary of the Roman Catholic Chaplain of Donegal Workhouse, Question, Mr. Macartney; Answer, The Chief Secretary *Aug* 2, 1223

Boards of Guardians

Suspensions, Question, Mr. J. E. Ellis; Answer, The Chief Secretary *Aug* 3, 1406

The Ulster Society School for the Blind, &c. (Belfast), Question, Mr. Deasy; Answer, The Chief Secretary *July* 31, 940

Donegal Board of Guardians, Question, Mr. Mac Neill; Answer, The Chief Secretary *Aug* 2, 1220

Downpatrick Board of Guardians, Questions, Mr. M'Cartan; Answers, The Solicitor General for Ireland (Mr. Madden) *Aug* 6, 1695

POST OFFICE (IRELAND)

Post Office (Dublin)—Appointment of Acting Surveyor's Clerk, Questions, Mr. Tuite; Answers, The Postmaster General (Mr. Raikes) *July* 27, 660

Ennis Post Office, Question, Mr. Cox; Answer, The Postmaster General *Aug* 3, 1403

Post Office at Kilmore, Co. Roscommon, Question, Mr. Cox; Answer, The Postmaster General *Aug* 2, 1212

Mails between Galway and Clifden, Question, Mr. Pinkerton; Answer, The Postmaster General *July* 31, 951

RAILWAYS (IRELAND)

Accident on the Waterford, Dungarvan, and Lismore Railway, Question, Mr. Pyne; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) *July* 31, 942

Purchase by the State, Question, Observations, Lord Greville; Reply, The Lord Privy Seal (Earl Cadogan) *July* 23, 169

LAW AND JUSTICE (IRELAND)

Edward Mahony and others, Rathcormack, Co. Cork, Questions, Dr. Tanner; Answers, The Solicitor General for Ireland (Mr. Madden) *July* 30, 736

High Court of Justice—New Rule, Questions, Mr. Maurice Healy; Answers, The Solicitor General for Ireland *Aug* 6, 1692

"The Queen v. *Beatie"—Alleged Failure of Justice*, Question, Mr. Arthur O'Connor; Answer, The Chief Secretary *July* 23, 183

Juries

Coroners' Juries—Verdicts, Questions, Mr. J. E. Ellis, Mr. Anderson, The Lord Mayor of Dublin (Mr. Sexton), Dr. Kenny, Mr. Johnston; Answers, The Chief Secretary *Aug* 3, 1404

Co. Antrim Grand Jury—Appointment of Mr. Davidson as Baronial High Constable, Questions, Mr. M'Cartan, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 31, 942

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IRELAND—*Law and Justice—Juries*—cont.

Grand Juries, Question, Mr. D. Sullivan Answer, The Solicitor General for Ireland *Aug* 6, 1704

Jury Laws—Wrongful Convictions at the Wicklow Assizes, Questions, Mr. W. J. Corbet, The Lord Mayor of Dublin (Mr. Sexton), Mr. T. M. Healy; Answers, The Solicitor General for Ireland *Aug* 3, 1408; Question, Mr. Byrne; Answer, The Chief Secretary *Aug* 7, 1845

Oaths of Jurymen, Questions, The Lord Mayor of Dublin (Mr. Sexton), Mr. Johnston; Answers, The Solicitor General for Ireland *Aug* 7, 1813

The Jury System—Roman Catholic Special Jurors, Queen's Co., Question, Mr. W. A. Macdonald [not put] *July* 23, 212; Questions, Mr. W. A. Macdonald, Mr. J. E. Redmond, Mr. R. T. Reid, Mr. Chance, Mr. Maurice Healy; Answers, The Solicitor General for Ireland *July* 26, 531

Wicklow Assizes—Exclusion of Catholics, Questions, Mr. W. J. Corbet, Mr. Maurice Healy; Answers, The Chief Secretary *July* 26, 533; Question, Mr. W. J. Corbet; Answer, The Solicitor General for Ireland [Further Questions thereon] *Aug* 2, 1228

CRIMINAL LAW (IRELAND)

Discharge of an Insane Prisoner from Limerick Gaol, Questions, Mr. Jordan, Mr. Cox, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 27, 657

THE MAGISTRACY (IRELAND)

Cork Police Court, Questions, Dr. Tanner; Answers, The Solicitor General for Ireland *Aug* 6, 1698

County Cess Collectors, Co. Antrim, Questions, Mr. W. P. Sinclair, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary, The Solicitor General for Ireland *July* 26, 518

Divisional Magistrates—Proposed Bill, Question, Mr. J. E. Ellis; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *Aug* 7, 1851

The Millstreet Bench, Questions, Dr. Tanner; Answers, The Chief Secretary *July* 23, 204

Tullamore, Question, Dr. Fox; Answer, The Chief Secretary *July* 30, 729

Petty Sessions

Killybegs Petty Sessions District, Questions, Mr. Mac Neill; Answers, The Chief Secretary *July* 26, 536

Kilrush Petty Sessions — Mr. Cecil Roche, R.M., Questions, Mr. Jordan, Mr. W. Redmond; Answers, The Chief Secretary *July* 31, 955

Newtownards Petty Sessions—Non-Attendance of Magistrates, Questions, Mr. M'Cartan, Mr. Johnston; Answers, The Chief Secretary *July* 30, 757; Questions, Mr. M'Cartan, Mr. Johnston, The Lord Mayor of Dublin (Mr. Sexton), Colonel Waring; Answers, The Chief Secretary *July* 31, 952

Resident Magistrates

"Temporary Appointments," Questions, Mr. J. E. Ellis, Mr. Chance; Answers, The Chief Secretary *July* 24, 317

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IRELAND—*The Magistracy—Resident Magistrates*—cont.
Edward O'Reilly, Petty Sessions Clerk, Ballaghadereen, Co. Mayo, Question, Mr. Crilly; Answer, The Chief Secretary *Aug* 7, 1849

PRISONS (IRELAND)
Dietary of Prisoners—Report of the Royal Commission, Question, Mr. James Stuart; Answer, The Solicitor General for Ireland *Aug* 6, 1694
Galway Prison — Treatment of Mr. Blunt, Question, Mr. Macartney; Answer, The Solicitor General for Ireland *Aug* 6, 1698
Prisons Board—Physical Examination of Convicted Prisoners, Questions, Dr. Kenny, Mr. Clancy; Answers, The Chief Secretary *July* 31, 954

Tullamore Prison
Suicide of Dr. Ridley, late Medical Officer of Tullamore Prison, Questions, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 20, 46
Prison Regulations—Rules at Tullamore Gaol—Mr. John Mandeville, Questions, The Lord Mayor of Dublin (Mr. Sexton), Mr. Anderson, Mr. P. Stanhope; Answers, The Chief Secretary *July* 23, 195

The Inquest at Mitchelstown on Mr. Mandeville, Question, Mr. Anderson; Answer, The Chief Secretary *July* 24, 332; Questions, Mr. W. E. Gladstone, Mr. Shaw Lefevre; Answers, The Chief Secretary *July* 31, 959; Questions, Mr. Shaw Lefevre, Mr. Clancy; Answers, The Chief Secretary *Aug* 2, 1225; Questions, Mr. Rowntree, The Lord Mayor of Dublin (Mr. Sexton), Sir Charles Lewis, Mr. Flynn; Answers, The Solicitor General for Ireland *Aug* 6, 1690
Removal to Tullamore Gaol, Questions, Mr. J. E. Ellis, Mr. Edward Harrington, Mr. Cobb; Answers, The Chief Secretary *July* 31, 950

Dr. Barr, an Inspector of Prisons, Questions, Mr. Clancy, Mr. T. M. Healy; Answers, The Chief Secretary *July* 23, 214; Questions, Mr. Anderson, Mr. Chance, Mr. Clancy; Answers, The Chief Secretary *July* 30, 764; — *Proceedings before the Coroner*, Questions, The Lord Mayor of Dublin (Mr. Sexton), Mr. Maurice Healy; Answers, The Chief Secretary *July* 26, 547; Questions, Mr. Maurice Healy, The Lord Mayor of Dublin (Mr. Sexton), Dr. Fox; Answers, The Chief Secretary *July* 30, 746; — *Evidence of Dr. Barr*, Questions, Mr. Hayden, Mr. Chance, Dr. Kenny; Answers, The Chief Secretary *July* 30, 748

Dr. Maccabe, Question, Mr. James Stuart; Answer, The Chief Secretary *July* 26, 543
The Governor of Tullamore Gaol, Questions, Mr. Anderson, Mr. Hunter, Mr. Mac Neill; Answers, The Chief Secretary, The Solicitor General for Ireland *July* 27, 668
Dr. Moorhead and Visiting Justice of Tullamore Prison, Questions, Mr. Mac Neill, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *Aug* 7, 1835

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IRELAND—*cont.*
ROYAL IRISH CONSTABULARY
Alleged Assaults (Fermoy), Questions, Dr. Tanner; Answers, The Chief Secretary *July* 30, 751
Constable Phillips, Ballygar, Question, Mr. Hayden; Answer, The Chief Secretary *Aug* 2, 1217
Increase of the Force at Doombeg, Co. Clare, Question, Mr. Jordan; Answer, The Solicitor General for Ireland *Aug* 6, 1712
Orange Flag at the Barrack, Obins Street, Portadown, Questions, Mr. Tuite, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 20, 32
"*Smyth* v. *Madden and Curry*"—*Payment of Legal Expenses of Constables*, Question, Mr. Edward Harrington; Answer, The Chief Secretary *Aug* 2, 1227
The Code of Rules, Question, Mr. H. J. Wilson; Answer, The Chief Secretary *July* 27, 671

RIOTS AND DISTURBANCES (IRELAND)
Compensation for Alleged Malicious Injuries in Co. Cork, Question, Dr. Tanner; Answer, The Chief Secretary *July* 23, 203
The Mitchelstown Riot (*September*, 1887)—*The Inquest—The Shorthand Writer's Report*, Questions, Mr. Rowntree; Answers, The Solicitor General for Ireland *Aug* 6, 1718
The O'Brien Nationalist Flute Band, Antrim, Questions, Mr. Macartney, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *Aug* 3, 1397
The Roman Catholic Church at Donard, Co. Wicklow, Question, Mr. Byrne; Answer, The Chief Secretary *Aug* 7, 1828

CRIME AND OUTRAGE (IRELAND)
Attempted Murder of Thomas Noonan at Woodford, Question, Mr. Macartney; Answer, The Chief Secretary *July* 23, 212
Boycotting—Murder of John Forhan, Question, Colonel Saunderson; Answer, The Chief Secretary *July* 30, 766; Questions, Mr. Byron Reed, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Solicitor General for Ireland *Aug* 6, 1689

EVICTIONS (IRELAND)
Case of Mr. P. Brosnihan, Co. Limerick, Question, Mr. Finucane; Answer, The Chief Secretary *July* 23, 202
Resolution of the Ulster Land Committee, Questions, Mr. M'Cartan; Answers, The Chief Secretary *July* 26, 545

The Evictions on the Vandeleur Estate, Co. Clare, Questions, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 23, 198; Question, Mr. Sheehy; Answer, The Chief Secretary *July* 24, 330; Questions, Mr. Jordan, The Lord Mayor of Dublin (Mr. Sexton), Mr. Hunter; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour), The Solicitor General for Ireland; Question, Mr. W. Redmond [no reply] *July* 26, 538; Questions, Mr. Jordan, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 26, 540; Question, The Lord Mayor of Dublin (Mr. Sexton); Answer, The Chief Secretary *July* 26, 542; Questions, Mr. Jordan; Answers, The Chief Secretary *July* 30, 743

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IRELAND—*Evictions*—cont.
Mr. Cecil Roche, R.M., Questions, Mr. J. E. Ellis, The Lord Mayor of Dublin (Mr. Sexton), Mr. Maurice Healy; Answers, The Chief Secretary *July* 26, 527; Questions, Mr. J. E. Ellis, The Lord Mayor of Dublin (Mr. Sexton), Mr. Mac Neill; Answers, The Chief Secretary *July* 27, 664
Sergeant Fletcher, Royal Irish Constabulary, Questions, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 26, 546
Land Law (Ireland) Act, 1887, Question, Mr. M'Cartan; Answer, The Solicitor General for Ireland *July* 27, 670
Alleged Violence, Questions, Mr. Jordan, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary, Mr. Speaker *July* 30, 744
Mr. T. W. Russell, M.P., Questions, Mr. Sheehy, The Lord Mayor of Dublin (Mr. Sexton), Mr. Flynn; Answers, The Chief Secretary *July* 30, 745
Alleged Altercations at the Evictions, Questions, Mr. Jordan; Answers, The Chief Secretary *July* 31, 956
Case of Joanna O'Dea, Question, Mr. Jordan; Answer, The Chief Secretary *Aug* 2, 1238
Case of Mary O'Dea, Question, Mr. Jordan; Answer, The Chief Secretary *Aug* 2, 1239
Alleged Destruction of Furniture, &c. at Kilrush, Questions, Mr. Jordan; Answers, The Chief Secretary *Aug* 2, 1239

Ireland—Labourers (Ireland) Acts
Motion for a Return, The Marquess of Waterford *July* 27, 625; Motion agreed to; Return ordered to be laid before the House

Ireland—Policy of the Government
Moved, "That the names of the Lords present in the House on Thursday, the 12th of July, and assenting to the Resolution of Confidence in Her Majesty's Ministers passed nemine contradicente, be printed and circulated with the Minutes" (*The Earl Beauchamp*) *July* 20, 7; after debate, Motion amended, and agreed to
Resolved, That the names of the Lords present in the House on Thursday, the 12th of July, on which day a resolution of confidence in Her Majesty's Ministers was passed nemine contradicente, be printed and circulated with the Minutes
List of the Lords present, 26

ISAACSON, Mr. F. Wootton, *Tower Hamlets, Stepney*
East India (Hyderabad (Deccan) Mining Company)—The Report—Premature Publication, 1836

Italy and Abyssinia
Question, Observations, Lord Napier of Magdala; Reply, The Prime Minister and Secretary of State for Foreign Affairs (The Marquess of Salisbury); Observations, Earl Granville *Aug* 3, 1371

JACKSON, Mr. W. L. (Secretary to the Treasury), *Leeds, N.*
Bank of England—Pay of Bank Note Stampers, 1557
Civil Service—Competitive Examinations—Clerkships in the Lower Division, 1404
Consolidated Fund (No. 3), 2R. 885; Comm. 1813, 1814; *cl.* 2, Amendt. *ib.* 1815
Court of Chancery — Payment by Crossed Cheques, 1837
Crown Land Revenue (Wales), 159
Custom House Clerks—Hours of Work and Pay, 1412
Customs (Statistical Department) — Writers, 1245
East India (Hyderabad (Deccan) Mining Company)—The Report—Premature Publication, 1560, 1837
Expiring Laws Continuance, Motion for Leave, 679, 681
Friendly Societies—Belfast and County Down Railway Servants' Provident Society—Rule 12, 942, 1701
Ireland—Questions
Divisional Magistrates, 1425
Literature, Science, and Art — Botanic Gardens, Glasnevin, Dublin, 1683; — Professor M'Nab's Laboratory, 1716; — Lacemaking, 523, 1219
Registration of Deeds and Assurances—Insanitary Condition of the Office, 1211
Ireland—Piers and Harbours—Questions
Ballycotton Pier—Representation from the Grand Jury of Cork, 544, 545, 741, 1220
Dues at Ardglass, Co. Down, 546
Newcastle Pier, Co. Down, 1707
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Read 3ª *Aug* 3, 1387 (Nos. 244-252)
c. Moved, "That the Lords' Amendts. be considered on Monday" *Aug* 3, 1552; Motion agreed to
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l. Read 3ª * *July* 20 (No. 220)
c. Read 1° * (*Sir M. Hicks-Beach*) *July* 24 [Bill 343]
2R. deferred, after short debate *Aug* 2, 1363
Read 2°, and committed to a Select Committee of Five Members. Three to be nominated by the House, and two by the Committee of Selection *Aug* 4, 1635

Local Bankruptcy (Ireland) Bill [H.L.]
(*Mr. Solicitor General for Ireland*)
c. Read 1° * *July* 24 [Bill 344]
2R. deferred, after short debate *Aug* 6, 1818

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l. Read 1ª * (*L. Balfour*) *July* 27 (No. 238)
Read 2ª, after long debate *July* 31, 907
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Local Government (England and Wales) [Shrievalty of Middlesex]
c. Res. considered in Committee
Moved, "That it is expedient to authorise the payment, out of the Consolidated Fund, of the sum payable by the City of London in respect of the Shrievalty of Middlesex, or of the amount which may be required for redeeming such sum, in pursuance of the provisions of any Act of the present Session relating to Local Government in England and Wales" (*Mr. Ritchie*) *July* 25, 433; after short debate, Question put, and agreed to

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l. Royal Assent *July* 24 [51 & 52 *Vict.* c. cxxiv.]

Local Government Provisional Orders (Gas) Bill (*L. Balfour*)
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Local Government Provisional Orders (No. 5) Bill (*L. Balfour*)
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Local Government Provisional Orders (No. 6) Bill (*L. Balfour*)
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Local Government Provisional Orders (No. 7) Bill (*L. Balfour*)
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l. Royal Assent *July* 24 [51 & 52 *Vict.* c. cxxxiii.]

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(*The Lord Advocate, Mr. Solicitor General for Scotland, Sir Herbert Maxwell*)
c. Report of Select Comm. *July* 23 [No. 294]
Report of the Select Committee, Question, Sir George Campbell; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) *Aug* 2, 1242
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Burial Laws—Burials of Nonconformist Parishioners
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(*Mr. Philip Stanhope, Mr. Robert Reid, Mr. Hunter, Mr. Brunner, Mr. Ernest Spencer*)
c. Ordered; read 1° * *July* 31 [Bill 358]

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Channel Tunnel Works—Report of the Inspector of the Board of Trade
Questions, Mr. Radcliffe Cooke, Sir Wilfrid Lawson; Answers, The President of the Board of Trade (Sir Michael Hicks-Beach) *July* 27, 661

CHANNING, Mr. F. A., *Northampton, E.*
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Chapels (Clonmacnoice) Bill
(*Colonel Nolan, Mr. T. M. Healy, Dr. Fitzgerald*)
c. Ordered; read 1° * *Aug* 1 [Bill 361]
2R. deferred *Aug* 3, 1551
2R. deferred *Aug* 6, 1820

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CHAPLIN, Right Hon. H., *Lincolnshire, Sleaford*
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Charities, Income Tax on
Moved, That there be laid before this House,
1. "Correspondence in 1863 between the Inland Revenue and the Treasury (reprint from 'Charities,' 1865)
2. Statement of amounts on which income tax was refunded in 1886-7, specifying the various classes, as educational, religious, hospitals, doles, &c.
3. Statement of claims for restitution of income tax rejected since August, 1887, specifying the nature of the charity and the reason for the rejection
4. Any correspondence between the Inland Revenue and trustees of charities and the Charity Commissioners bearing on the new procedure of the Inland Revenue" (*The Lord Addington*) *Aug* 3, 1384; after short debate, Motion agreed to

Charity Commissioners
City Parochial Charities Act—The General Governing Body, Questions, Mr. Bartley, Mr. T. M. Healy; Answers, Mr. Speaker, Mr. J. W. Lowther *July* 23, 213
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Holloway Sanatorium Hospital for the Insane, Question, Mr. H. J. Wilson; Answer, Mr. J. W. Lowther *July* 31, 939

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Civil Establishments—Second Report of the Royal Commission
Question, Sir Roper Lethbridge; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *Aug* 3, 1417

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Civil Service Commission—Examinations for Assistant Clerkships of Works, Question, Mr. Lawson; Answer, The First Commissioner of Works (Mr. Plunket) *July* 23, 194
Competitive Examinations—Clerkships in the Lower Division, Question, Mr. Maurice Healy; Answer, The Secretary to the Treasury (Mr. Jackson) *Aug* 3, 1404

CLANCY, Mr. J. J., *Dublin Co., N.*
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Prisons Board—Physical Examination of Convicted Prisoners, 955
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Members of Parliament (Charges and Allegations)—Mr Buckle, of "The Times," 1722
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CLARK, Dr. G. B., *Caithness*
Burgh Police and Health (Scotland), Comm. 1361
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Sheriff Depute, Question, General Sir George Balfour; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) *July* 26, 524

Coal Mines, &c. Regulation Act, 1887
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Section 54—*The Cumberland Collieries*, Question, Sir Wilfrid Lawson; Answer, The Secretary of State for the Home Department (Mr. Matthews) *July* 27, 659
Section 80—*Refusal of Certificates to Mr. James Hughes, Mr. Thomas Parker, and Titus Spruce*, Questions, Captain Heathcote; Answers, The Secretary of State for the Home Department (Mr. Matthews) *July* 20, 30; *July* 23, 199; *Aug* 2, 1245; *Aug* 7, 1843

COBB, Mr. H. P., *Warwick, S.E., Rugby*
Bankruptcy or Debtors Acts — Failure of Messrs Greenway, Warwick, 1826, 1827
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COLOMB, Sir J. C. R., *Tower Hamlets, Bow, &c.*
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Commons Regulation Provisional Order (Therfield Heath) Bill (*E. Brownlow*)
l. Committee * *July* 20 (No. 209)
Report * *July* 23 (No. 228)
Read 3ª * *July* 24
Royal Assent *Aug* 7 [51 & 52 *Vict.* c. clxiv]

Companies' Acts Consolidation and Amendment Bill
(*Mr. James Maclean, Sir Bernhard Samuelson, Sir Albert Rollit, Mr. Mowbray, Mr. Lees*)
c. Bill withdrawn * *July* 26 [Bill 144]

Companies Bill [H.L.]
(*The Lord Chancellor*)
l. Committee *July* 26, 504 (No. 153)

Companies Clauses Consolidation Act (1845) Amendment Bill (*E. Rosebery*)
l. Committee * *July* 23 (No. 170)
Report * *July* 25 (No. 230)
3R. discharged * *July* 26

Companies Relief Bill [H.L.]
(*The Earl of Crawford*)
l. Presented; read 1ª * *July* 30 (No. 241)
Read 2ª, after short debate *Aug* 3, 1379

Consolidated Fund (No. 3) Bill
(*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson*)
c. Read 2° *July* 30, 885
Committee; Report *Aug* 6, 1813
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Consular Charges in England—Invoices for the United States
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Contagious Diseases (Animals) Act—Anthrax
Question, Mr. W. A. M'Arthur; Answer, Viscount Lewisham *July* 31, 946

CONWAY, Mr. M., *Leitrim, N.*
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Copyhold Acts Amendment Bill [H.L.]
(*Mr. Haldane*)
c. 2R. deferred *July* 30, 888 [Bill 298]
2R. deferred, after short debate *Aug* 2, 1367
Read 2° *Aug* 6, 1819

CORBET, Mr. W. J., *Wicklow, E.*
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Question, Mr. H. Gardner; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *Aug* 7, 1851

Coroners Bill [H.L.] (*The Lord Chancellor*)
l. Report * *July* 20 (Nos. 216-229)
Read 3ª * *July* 26

Coroners Bill
Publicity of Inquests, Question, Sir Algernon Borthwick; Answer, The Attorney General (Sir Richard Webster) *July* 30, 759

COSSHAM, Mr. H., *Bristol, E.*
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COTTON, Capt. E. T. D., *Cheshire, Wirral*
Gold and Silver Currency Commission—The Report, 1720
Local Government (England and Wales), Consid. *cl.* 97, Amendt. 711

County Court Appeals (Ireland) Bill
(*Mr. T. M. Healy, Mr. Clancy, Mr. Chance, Mr. Maurice Healy*)
c. Ordered; read 1° * *Aug* 4 [Bill 367]

County Courts (Ireland) Bill
(*Mr. T. M. Healy, Mr. Clancy, Mr. Chance, Mr. Maurice Healy*)
c. Bill withdrawn * *July* 31 [Bill 166]

COURTNEY, Mr. L. H. (Chairman of Committees of Ways and Means and Deputy Speaker), *Cornwall, Bodmin*
Army Estimates—Engineer Works, Buildings, and Repairs at Home and Abroad, 1579, 1580, 1581, 1584
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CRAIG, Mr. J., *Newcastle-upon-Tyne*
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CRANBORNE, Viscount, *Lancashire, N.E., Darwen*
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(*Mr. Sexton, Mr. Murphy, Mr. T. D. Sullivan, Mr. Maurice Healy, Mr. O'Keeffe, Mr. Richard Power, Mr. Peter M'Donald*)
c. Ordered; read 1° * *July* 27 [Bill 351]
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l. Read 1a * (*L. FitzGerald*) *Aug* 6 (No. 255)

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(*Mr. Jackson, Mr. Arthur Balfour, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1° * *Aug* 7 [Bill 371]

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c. 3R. deferred *Aug* 2, 1365 [Bill 319]

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O'Keeffe, Mr. F. A., *Limerick City*
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[H.L.]
c. Report * *July* 30 [Bill 323]
Read 3° * *July* 31
l. Royal Assent *Aug* 7 [51 & 52 *Vict.* c. clxvi]

Parker, Mr. C. S., *Perth*
Educational Endowments (Scotland) Act, 1882 (Kirkcudbright Charities), Motion for an Address, 613, 615

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Standing Orders of the House—Report of the Select Committee, Observations, The Lord Privy Seal (Earl Cadogan) *July* 31, 904
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Private Bill Legislation — The Standing Orders, Observations, The Chairman of Committees (The Duke of Buckingham and Chandos) *Aug* 7, 1822
Standing Orders considered and amended, and to be printed, as amended (No. 260)

Business of the House
Course of Public Business, Question, Earl Granville; Answer, The Prime Minister and Secretary of State for Foreign Affairs (The Marquess of Salisbury) *July* 27, 651
Standing Order No. XXXV. to be considered on Thursday next in order to its being dispensed with during the present Sittings of the House (*The Marquess of Salisbury*) *Aug* 7

Political Parties, 1880-82—*Sir Richard Cross* (*Viscount Cross*), Personal Explanation, The Secretary of State for India (Viscount Cross) *July* 23, 168

Parliament—Lords of Parliament—Grants to Peers, &c.
Moved, That there be laid before the House, "Return showing the names of all present Lords of Parliament who are in receipt of

[*cont.*

Parliament — Lords of Parliament—Grants to Peers, &c.—cont.

public money from the National Exchequer, whether in the form of salary, pay, pension, or allowance of any kind, or who have received commutation in respect thereof under the Commutation Acts, with separate columns showing the amounts they receive or have commuted, with the amount of the commutation money, and the name of the office or nature of the service for which the money is or has been paid" (*The Lord Monkswell*) *Aug* 7, 1825 ; Motion agreed to

COMMONS—

Business of the House

Release of Mr. Dillon and other Members of Parliament, Question, Mr. Dillwyn ; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *Aug* 6, 1721

Dr. Tanner and Mr. Brookfield, Personal Complaint, Dr. Tanner *Aug* 2, 1362

Payment of Members—The Debate of July 6, Personal Explanation, Admiral Field *July* 27, 677

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A Point of Order—Withdrawal of a Bill, Question, Mr. Conybeare ; Answer, Mr. Speaker *July* 20, 47

The Blocking of Bills, Question, Mr. Whitbread ; Answer, Mr. Speaker *July* 30, 890

Privilege

Arrest of Mr. O'Kelly, M.P., Question, Mr. J. E. Ellis ; Answer, The Secretary of State for the Home Department (Mr. Matthews) [Further Questions thereon] *July* 27, 665

Public Petitions—Petitions against Sunday Closing — Alleged Fraudulent Signatures, Question, Sir Wilfrid Lawson ; Answer, Sir Charles Forster *Aug* 7, 1837

Public Bills—The Royal Assent—Attendance on Commissions, Question, Mr. Sydney Buxton ; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *July* 26, 554

Committee of Selection (*Standing Committees*), Special Reports, *July* 24, 430 ; *July* 26, 619 ; *July* 27, 720

Standing Committee on Law, &c.

Ordered, That the Standing Committee for the consideration of Bills relating to Law, and Courts of Justice, and Legal Procedure, do sit and proceed with the Liability of Trustees Bill [*Lords*] upon Friday 3rd August, at Twelve of the clock (*Sir Henry James*) *July* 30

Standing Committees (*Chairmen's Panel*), Special Reports *July* 23, 305 ; *July* 27, 720

SITTINGS AND ADJOURNMENT OF THE HOUSE

Moved, "That this House do now adjourn" *July* 20, 168 ; Question put, and agreed to

Exemption from the Standing Order "Sittings of the House"

Ordered, That the Proceedings on the Local Government (England and Wales) Bill, if

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PARLIAMENT—COMMONS—*Sittings and Adjournment of the House*—cont.

under discussion at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House" (*Mr. W. H. Smith*) *July* 27

Moved, "That the Proceedings on the Members of Parliament (Charges and Allegations) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order 'Sittings of the House'" (*Mr. W. H. Smith*) *July* 31, 960 ; Question put ; A. 231, N. 159 ; M. 72 (D.L. 249)

Moved, "That the Proceedings on the Members of Parliament (Charges and Allegations) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order 'Sittings of the House'" (*Mr. Chancellor of the Exchequer*) *Aug* 2, 1263 ; Motion agreed to

Ordered, That the proceedings of the Committee of Supply, if the Committee be sitting at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House" (*Mr. W. H. Smith*) *Aug* 3

Moved, "That this House do now adjourn" (*Mr. Jackson*) *Aug* 3, 1554 ; Question put, and agreed to

Ordered, That the proceedings on the Members of Parliament (Charges and Allegations) Bill, if under consideration at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House" (*Mr. W. H. Smith*) *Aug* 7

The Autumn Sitting, Questions, Mr. Campbell-Bannerman, Mr. Cobb, Mr. J. B. Balfour ; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *Aug* 3, 1418

Moved, "That this House do now adjourn" (*Mr. Jackson*) *Aug* 7, 1945 ; after short debate, Motion withdrawn

BUSINESS OF THE HOUSE AND PUBLIC BUSINESS

Questions, The Lord Mayor of Dublin (Mr. Sexton), Mr. Labouchere ; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *July* 24, 329 ; Question, Mr. Childers ; Answer, The First Lord, 331 ; Questions, Mr. Broadhurst, Sir John Swinburne ; Answers, The Secretary to the Treasury (Mr. Jackson) *July* 25, 501 ; Ministerial Statement, The First Lord of the Treasury (Mr. W. H. Smith) ; short debate thereon *July* 26, 555 ; Questions, Sir William Harcourt ; Answers, The First Lord *July* 27, 676 ; Questions, Mr. H. Gardner, Mr. Osborne Morgan, Sir William Harcourt ; Answers, The First Lord *July* 30, 765 ; Question, Mr. Mundella ; Answer, The Chancellor of the Exchequer (Mr. Goschen) [Further Questions thereon] *Aug* 1, 1191 ; Questions, Dr. Clark, Mr. T. M. Healy ; Answers, The Lord Advocate (Mr. J. H. A. Macdonald), The Secretary to the Treasury (Mr. Jackson) *Aug* 2, 1368 ; Questions, Mr. Cremer, Mr. Arthur O'Connor, Mr. Baumann, Mr. Bradlaugh, Mr. F. S. Stevenson, Mr. Wallace, Mr. T. M. Healy, Mr. Esslemont, Sir George Trevelyan ; Answers, The

[*cont.*

PARLIAMENT—COMMONS—*Business of the House and Public Business*—cont.

First Lord [Further Questions thereon] *Aug* 3, 1419 ; Question, Mr. Anderson ; Answer, The Secretary to the Treasury (Mr. Jackson); short debate thereon *Aug* 4, 1561 ; Questions, Mr. Bryce, Sir Walter B. Barttelot, Mr. Osborne Morgan, Mr. Mundella ; Answers, The First Lord *Aug* 6, 1725 ; Questions, Sir William Plowden, Sir William Harcourt, Mr. Campbell-Bannerman, Mr. Baumann, Mr. Henry H. Fowler ; Answers, The First Lord, The President of the Local Government Board (Mr. Ritchie) *Aug* 7, 1852 ;—*Bills passed by the Standing Committees—An Autumn Session*, Questions, Mr. Osborne Morgan, Mr. Mundella, Mr. Henry H. Fowler ; Answers, The First Lord *July* 23, 208 ;—*Universities (Scotland) Bill —Bail (Scotland) Bill*, Question, Mr. Hunter; Answer, The First Lord, 210 ; Questions, Mr. Hunter, Mr. Buchanan ; Answers, The First Lord *July* 24, 329 ;—*The Criminal Evidence Bill*, Question, Mr. T. M. Healy ; Answer, The First Lord *July* 23, 210 ;—*The Navy Estimates*, Question, Mr. Hanbury; Answer, The First Lord of the Admiralty (Lord George Hamilton) *July* 27, 675 ; —*The Army Estimates*, Questions, Dr. Farquharson, Mr. Baumann ; Answers, The Secretary of State for War (Mr. E. Stanhope), The First Lord of the Treasury (Mr. W. H. Smith) *July* 27, 677 ;—*Votes in Supply*, Question, Sir George Campbell; Answer, The Secretary of State for War (Mr. E. Stanhope) *Aug* 2, 1234 ;—*The Adjournment—The Tithe Rentcharge Bills*, Questions, Mr. Dillwyn, Sir John Swinburne, Mr. Stanley Leighton, Mr. Cobb ; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *July* 30, 760 ;—*Employers' Liability for Injuries to Workmen Bill*, Questions, Mr. Broadhurst; Answers, The First Lord *July* 30, 761; *Aug* 6, 1723 ;—*The Adjournment*, Question, Mr. Causton; Answer, The Chancellor of the Exchequer (Mr. Goschen) [Further Questious thereon] *Aug* 2, 1249 ;—*Committees of the House—Work of Members*, Question, Bradlaugh ; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *July* 30, 762 ;—*Scotch Business*, Observations, Mr. Hunter ; Reply, The Chancellor of the Exchequer (Mr. Goschen) ; short debate thereon *July* 31, 1101 ; Questions, Sir George Campbell, Mr. Anderson ; Answers, The Lord Advocate (Mr. J. H. A. Macdonald) *Aug* 4, 1558 ;—*The Burgh Police and Health (Scotland) Bill*, Questions, Sir George Campbell, Mr. Wallace ; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *Aug* 6, 1724 ;—*Procedure on the Members of Parliament (Charges and Allegations) Bill*, Notice, The Chancellor of the Exchequer (Mr. Goschen); Questions, Mr. W. E. Gladstone, Mr. T. M. Healy ; Answers, Mr. Goschen *Aug* 1, 1189 ;—*The Tithe Rentcharge Bills*, Question, Mr. Dillwyn ; Answer, The First Lord of the Treasury (Mr. W. H. Smith); Question, Mr. J. Bryn Roberts [no reply] *Aug* 3 1417 ; —*The Small Holdings Committee*' Question, Sir George Campbell ; Answer'

[*cont.*

PARLIAMENT—COMMONS—*Business of the House and Public Bnsiness*—cont.

The First Lord *Aug* 6, 1724 ;—*The Local Government Bill*, Statement, Lord Balfour *Aug* 7, 1821

Parliament—Business of the House—Procedure on the Members of Parliament (Charges and Allegations) Bill

Moved, "That at One o'clock a.m. on Friday 3rd August, if the Members of Parliament (Charges and Allegations) Bill be not previously reported from the Committee of the whole House, the Chairman shall put forthwith the Question, or Questions, on any Amendment or Motion already proposed from the Chair. He shall next proceed and successively put forthwith the Questions, That any Clause then under Consideration, and each remaining Clause in the Bill, stand part of the Bill. After the Clauses are disposed of he shall forthwith report the Bill, as amended, to the House. From and after the passing of this Order no Motion, That the Chairman do leave the Chair, or do report Progress, shall be allowed" (*Mr. Chancellor of the Exchequer*) *Aug* 2, 1263 ; after debate, Amendt. after first "That," insert "if the Chairman so think fit" (*Mr. Maurice Healy*) ; after further short debate, Amendt. withdrawn

Main Question again proposed, 1283

Amendt. in line 5, leave out "Questions, That any Clause then under consideration, and each remaining Clause of the Bill, stand part of the Bill," and insert the words "several Amendments and new Clauses now printed on the Notice Paper and not then disposed of" (*Mr. Asquith*), *v.* ; Question proposed, "That the words, &c. ;" after short debate, Amendt. withdrawn

Main Question put ; A. 237, N. 185 ; M. 52 Division List, Ayes and Noes, 1286

Parliament — Privilege — Criminal Law and Procedure (Ireland) Act, 1887

Arrest of a Member (Mr. James O'Kelly, M.P.), Question, Sir Wilfrid Lawson ; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *July* 25, 432

Letter received by Mr. Speaker *July* 25, 495

Questions, Mr. Parnell ; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour), The Solicitor General for Ireland (Mr. Madden)[Further Questions thereon] *July* 25, 495 ; Question, Mr. Hayden ; Answer, The Chief Secretary [Further Questions thereon] *July* 26, 551 ; Question, Mr. O'Kelly ; Answer, The Solicitor General for Ireland (Mr. Madden) *July* 27, 719 ; Question, Mr. Parnell ; Answer, The Solicitor General for Ireland (Mr. Madden) *July* 30, 765

The Member for East Mayo (Mr. John Dillon) —Conditional Order of Habeas Corpus, Question, Mr. Chance ; Answer, The Chief Secretary *July* 25, 500

Health of, Questions, Mr. Mac Neill, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary *July* 26, 530

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PARLIAMENT — COMMONS — *Criminal Law and Procedure (Ireland) Act*, 1887—cont.

Imprisonment of, Petition presented *July* 30, 729; Moved, "That the Petition be read by the Clerk at the Table" (*Mr. Dillwyn*); Motion agreed to; Petition read

Parliament — Privilege — Mr. Conybeare and the Speaker

Moved, "That, in the opinion of this House, the Letter in the 'Star' newspaper of this evening's date entitled 'Mr. Conybeare and the Speaker,' and signed by the honourable Member for the Camborne Division of Cornwall, is a gross libel upon the Speaker of the House of Commons, and deserves the severest condemnation of the House" (*Lord Randolph Churchill*) *July* 20, 48

Amendt. to leave out "libel upon the Speaker of the House of Commons," and insert "Breach of Privilege" (*Mr. Labouchere*); Question proposed, "That the words &c."; after further short debate, Question put; A. 245, N. 68; M. 77

Division List, Ayes and Noes, 79

Main Question put, and agreed to

Moved, "That Mr. Conybeare, Member for the Camborne Division of Cornwall, be suspended from the Service of the House for the remainder of the Session" (*Lord Randolph Churchill*), 83

Amendt. to leave out "for the remainder of the Session," insert "one week" (*Mr. Labouchere*); Question proposed, "That the words &c.;" after short debate, Amendt. withdrawn

Amendt. to leave out "the remainder of the Session," insert "one fortnight" (*Mr. Labouchere*); after debate, Moved, "That the Debate be now adjourned" (*Dr. Tanner*); after further short debate, Question put; A. 133, N. 277; M. 144 (D. L. 231)

Question again proposed, "That the words 'remainder of the Session' stand part of the Question;" after short debate, Question put; A. 229, N. 152; M. 77 (D. L. 232)

Main Question again proposed, 106

Amendt. at end of Question add "or for one calendar month, whichever shall first terminate" (*Mr. W. H. Smith*); Question proposed, "That those words be there added;" after short debate, Question put, and agreed to

Main Question, as amended, put, and agreed to

Resolved, That Mr. Conybeare, Member for the Camborne Division of Cornwall, be suspended from the Service of the House for the remainder of the Session, or for one calendar month, whichever shall first terminate

Parliament—"The Times" Newspaper—Breach of Privilege

Moved, "That the 'Times' newspaper, in its issue of this morning, has been guilty of a breach of the privileges of this House" (*Mr. Labouchere*) *Aug* 2, 1251

Amendt. to leave out from "That," add "the House do pass to the Public Business of the Day" (*Mr. Chancellor of the Exchequer*); Question proposed, "That the words &c."; after short debate, Amendt. withdrawn; Motion withdrawn

Parliamentary Franchise (Extension to Women) Bill

(*Baron Dimsdale, Mr. Woodall, Sir Robert Fowler Sir William Houldsworth, Sir Albert Rollit Mr. Illingworth, Mr. Maclure, Mr. Stansfeld Dr. Cameron*)

c. Bill withdrawn * *July* 20 [Bill 11]

PARNELL, Mr. C. S., *Cork*

Ireland—Criminal Law and Procedure Act, 1887—Arrest of Mr. J. J. O'Kelly, M.P. 495, 496, 497, 498, 719, 720, 765

Members of Parliament (Charges and Allegations), 2R. 244, 245, 246, 254, 266, 267, 269, 426; Comm. *cl.* 1, 775, 777, 781, 822, 830, 961, 966, 967, 968, 969, 971; Motion for reporting Progress, 1093, 1099, 1356, 1357; Consid. *add. cl.* Amendt. 1862, 1865, 1866, 1941, 1944

Members of Parliament (Charges and Allegations)—Mr. J. Chamberlain and Mr. T. P. O'Connor—Charge of Disorderly Expression, 883, 884

Patents, Designs, and Trade Marks Bill [H.L.]

(*The Earl of Onslow*)

l. Read 3ª * *July* 23 (No. 225)

c. Read 1° * (*Sir M. Hicks-Beach*) *July* 25 [Bill 348]

Patents—War Office Officials—Sir Frederick Abel

Question, Mr. D. A. Thomas; Answer, The Secretary of State for War (Mr. E. Stanhope) *Aug* 6, 1693

PAULTON, Mr. J. M., *Durham, Bishop Auckland*

Ireland—Local Government Board—Mullingar Water Act, 1885—The Board of Guardians, 551

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Pauper Lunatics' Asylums (Ireland) (Officers' Superannuation) Bill

(*Mr. Johnston, Mr. Chance*)

c. Order for Committee discharged *Aug* 2, 1366; Bill withdrawn [Bill 135]

PEEL, Right Hon. A. W. (*see* SPEAKER, The)

Peru and Chili—The Peruvian Bondholders

Questions, Mr. Labouchere; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *Aug* 6, 1708

Pharmacy Act (Ireland), 1875, Amendment Bill [H.L.]

(*Sir Henry Roscoe*)

c. Read 1° * *July* 31 [Bill 357]
Read 2° * *Aug* 2
Committee deferred *Aug* 3, 1551

Pharmacy Acts Amendment Bill [H.L.]
(*Dr. Farquharson*)
c. 2R. deferred *July* 23, 303 [Bill 196]

PHILIPPS, Mr. J. W., *Lanark, Mid*
Scotland—Marriage Laws—Fees for Publishing the Banns, 938, 1235, 1829

PICKERSGILL, Mr. E. H., *Bethnal Green, S.W.*
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PICTON, Mr. J. A., *Leicester*
Africa (West Coast)—Customs Duties Levied by the Royal Niger Company, 1237, 1238
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Pier and Harbour Provisional Orders Bill
(*The Earl of Onslow*)
l. Royal Assent *July* 24 [51 & 52 *Vict.* c. cxix]

Pier and Harbour Provisional Orders (No. 2) Bill
(*The Earl of Onslow*)
l. Read 2ª * *July* 26 (No. 223)
Committee * *July* 27
Report * *July* 30
Read 3ª * *July* 31
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PINKERTON, Mr. J., *Galway*
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PLAYFAIR, Right Hon. Sir Lyon, *Leeds, S.*
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PLOWDEN, Sir W. C., *Wolverhampton, W.*
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Navy Estimates—Naval Armaments, 1614, 1616
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c. Read 1° * *Ju* 26 [Bill 349]

Police Force nfranchisement Act, 1887
Question, Mr. Evans; Answer, The Attorney General (Sir Richard Webster) *July* 27, 673

POOR LAW (ENGLAND AND WALES)
(*Questions*)
Case of Mrs. Sarah Burge—Costs, Question, Mr. Cunninghame Graham; Answer, The President of the Local Government Board (Mr. Ritchie) *July* 30, 735
Richmond Workhouse—The Boy Page, Question, Mr. H. J. Wilson; Answer, The President *July* 31, 938

POST OFFICE (ENGLAND AND WALES)
(*Questions*)
Clerks on the Special Staff, Question, Mr. Cunninghame Graham; Answer, The Postmaster General (Mr. Raikes) *Aug* 3, 1396
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Savings Bank—Interest to Depositors, Question, Mr. Whitley; Answer, The Chancellor of the Exchequer (Mr. Goschen) *July* 20, 37
Savings Banks and Government Annuities Act, 1887—*The Rules and Regulations*, Questions, Mr. Howell; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *Aug* 7, 1850
Suburban Deliveries — Kentish Town and Camden Town, Question, Mr. Lawson; Answer, The Postmaster General *July* 24, 327
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Travelling Vans, Question, Mr. Cavendish Bentinck; Answer, The Postmaster General *Aug* 6, 1718

TELEGRAPH DEPARTMENT
Bermuda, Halifax, &c.—Telegraphic Cable, Question, Sir Edward Watkin; Answer, The Postmaster General *July* 20, 35
Porterage, Question, Baron de Rothschild; Answer, The Postmaster General *July* 27, 664

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Clerks—The Bank Holiday, August 6, Question, Mr. M'Cartan; Answer, The Postmaster General (Mr. Raikes) *Aug* 7, 1834

POWELL, Mr. F. S., *Wigan*
Members of Parliament (Charges and Allegations), Consid. *add. cl.* 1900

POWIS, Earl of
Local Government (England and Wales), 2R. 934; Comm. *cl.* 2, Amendt. 1649; *cl.* 5, Amendt. 1650; *cl.* 8, Amendt. *ib.*

Preston Corporation Bill [*Lords*]
c. As amended, considered *July* 30, 728

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Prison Dietary—Alleged Composition of Prison Bread
Question, Mr. H. S. Wright; Answer, The Solicitor General for Ireland (Mr. Madden) *Aug* 6, 1708

PROVAND, Mr. A. D., *Glasgow, Blackfriars, &c.*
Parliament—Business of the House, Ministerial Statement, 565
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Public Health
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Pollution of the Regent's Canal, Question, Mr. Picton; Answer, The First Commissioner of Works (Mr. Plunket) *Aug* 2, 1215
Tuberculosis in Children—Dr. Woodhead's Lecture, Question, Dr. Farquharson; Answer, Viscount Lewisham *Aug* 3, 1402; Question, Mr. Esslemont; Answer, The President of the Local Government Board (Mr. Ritchie) *Aug* 7, 1832

Public Health Acts Amendment (Buildings in Streets) Bill
(*Captain Cotton, Mr. Seton-Karr, Mr. Brunner, Mr. Mowbray*)
c. Committee *; Report *Aug* 2 [Bill 255]
Committee * (*on re-comm.*)—R.P. *Aug* 7

Public Health (Scotland) Provisional Order (Kirkliston, Dalmeny, and South Queensferry Water) Bill [H.L.]
c. Report * *July* 30 [Bill 327]
As amended, considered * *July* 31
Read 3° * *Aug* 1
l. Commons' Amendts. considered *Aug* 7, 1823
Moved, "That the House disagree to the Commons' Amendments;" Motion agreed to
A Committee appointed to prepare a reason to be offered to the Commons for the Lords disagreeing to the said Amendts.; the Committee to meet forthwith; Report from the Committee of the reason prepared by them; read, and agreed to; and a Message sent to the Commons to return the said Bill with the reason

Public Offices, The New—Admiralty Office
Question, Observations, The Earl of Wemyss; Reply, Lord Henniker *Aug* 7, 1821

Public Works Loans Bill
(*Mr. Jackson, Mr. Chancellor of the Exchequer, Sir Herbert Maxwell*)
c. Ordered; read 1° * *July* 27 [Bill 355]

PULESTON, Sir J. H., *Devonport*
Navy—Dockyards—The Official Programme at Devonport, 1413

PYNE, Mr. J. D., *Waterford, W.*
Ireland—Railways—Accident on the Waterford, Dungarvan, and Lismore Railway, 942

RAIKES, Right Hon. H. C. (Postmaster General), *Cambridge University*
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Railway and Canal Traffic Bill
Fish as Foreign Merchandize, Question, Mr. J. C. Stevenson; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) *July* 25, 432

Railway and Canal Traffic Bill [H.L.]
(*Sir Michael Hicks-Beach*)
c. Moved, "That the Bill, as amended (by the Standing Committee), be now considered" *July* 25, 434; after short debate, Question put, and agreed to [Bill 333]
Moved, "That the Bill be now read 3°," 454; after short debate, Question put, and agreed to; Bill read 3°
l. Commons' Amendts. considered, and agreed to; and Bill, with the Amendts., returned to the Commons *Aug* 2, 1195
c. Moved, "That the Lords' Amendts. be considered on Tuesday" *Aug* 3, 1553; Motion agreed to
Lords' Amendts. amended, and agreed to *Aug* 7, 1856

RAILWAYS (ENGLAND AND WALES)
Accidents at Level Crossings, Question, Mr. M'Laren; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) *Aug* 2, 1211
Fatal Accident at Hyde Junction, Question, Mr. Summers; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) *July* 31, 946
Mixed Trains—Accident on the Highland Railway, Questions, Mr. Channing; Answers, The President of the Board of Trade (Sir Michael Hicks-Beach) *Aug* 6, 1705

RASCH, Major F. C., *Essex, S.E.*
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War Office—Recruiting—"Army Service"—Advertisements, 30
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RATHBONE, Mr. W., *Carnarvonshire, Arfon*
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Rating of Machinery Bill
(*Sir William Houldsworth, Sir Bernhard Samuelson, Sir Frederick Mappin, Mr. Tomlinson, Mr. Mowbray*)
c. Bill withdrawn * *July* 25 [Bill 163]

Recorders, Magistrates, and Clerks of the Peace Bill (*Earl Brownlow*)
l. Read 2ª * *July* 31 (No. 215)
Committee *; Report *Aug* 3
Read 3ª * *Aug* 7

REDMOND, Mr. J. E., *Wexford, N.*
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REDMOND, Mr. W. H. K., *Fermanagh, N.*
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REED, Mr. H. B., *Bradford, E.*
Ireland, State of—Boycotting — Murder of John Forhan, 1689, 1690
Parliament—Business of the House—Procedure on the Members of Parliament (Charges and Allegations), Res. 1276, 1277

Reformatory and Industrial Schools—Report of the Royal Commission
Question, Sir Ughtred Kay-Shuttleworth; Answer, The Secretary of State for the Home Department (Mr. Matthews) *Aug* 2, 1210

Reformatory Schools Bill [H.L.]
(*The Earl Brownlow*)
l. Presented; read 1ª * *Aug* 3 (No. 250)

Registration of Assurances (Ireland) Bill (*Mr. Solicitor General for Ireland, Mr. Arthur Balfour*)
c. Motion for Leave (*Mr. Solicitor General for Ireland*) *Aug* 6, 1726; Motion agreed to; Bill ordered; read 1°* [Bill 369]

REID, Mr. R. T., *Dumfries, &c.*
Ireland—Law and Justice—Jury System—Roman Catholic Special Jurors, Queen's Co. 532
Members of Parliament (Charges and Allegations), Comm. *cl.* 1, Amendt. 856, 880, 881, 1046, 1107, 1149; Consid. *add. cl.* 1871, 1889, 1897
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RENDEL, Mr. S., *Montgomeryshire*
Local Government (England and Wales), Consid. *add. cl.* 584

RIDLEY, Sir M. W., *Lancashire, N., Blackpool*
Local Government (England and Wales), Consid. *cl.* 31, 700

RITCHIE, Right Hon. C. T. (President of the Local Government Board), *Tower Hamlets, St. George's*
Allotments Act, 1887—Acquisitions of Land, 1401
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Metropolis—Street Improvements, 1717
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Poor Law (England and Wales)—Case of Mrs. Sarah Burge—Costs, 735
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Scotland—Market Rights and Tolls—The Royal Commission, 662
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River Thames, The—The Boathouse on the Hampton Recreation Ground
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ROBERTS, Mr. J. B., *Carnarvonshire, Eifion*
Parliament—Business of the House, Ministerial Statement, 564;—Tithe Rentcharge Bills, 1418

ROBERTSON, Mr. E., *Dundee*
Grants to Members of the Royal Family—Select Committee, 1723
Members of Parliament (Charges and Allegations), 2R. 416; Comm. *cl.* 1, 1143
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ROBERTSON, Mr. J. P. B. (Solicitor General for Scotland), *Bute*
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ROBINSON, Mr. B., *Dudley*
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ROE, Mr. T., *Derby*
War Office—Naval and Military Services—Machine Guns, 663

ROSCOE, Sir H. E., *Manchester, S.*
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ROTHSCHILD, Baron F. J. DE, *Bucks, Aylesbury*
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ROWLANDS, Mr. J., *Finsbury, E.*
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ROWNTREE, Mr. J., *Scarborough*
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Royal Family, Grants to Members of the —The Select Committee
Questions, Mr. E. Robertson, Mr. Summers; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *Aug* 6, 1723

Royal Parks and Pleasure Gardens—Kew Gardens — Additional Facilities of Access
Question, Mr. Tomlinson; Answer, The First Commissioner of Works (Mr. Plunket) *Aug* 2, 1247

RUSSELL, Sir C., *Hackney, S.*
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SANDYS, Colonel T. M., *Lancashire, S.W., Bootle*
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War Office—Artillery Committee—The Report, 1415

Sanitary Registration of Buildings Bill
(*Dr. Farquharson, Sir Henry Roscoe, Sir Guyer Hunter, Dr. Cameron*)
c. Ordered; read 1° * *July* 23 [Bill 342]

SAUNDERSON, Colonel E. J., *Armagh, N.*
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School Board for London Election Bill
(*Colonel Hughes, Sir Richard Temple, Sir Guyer Hunter, Mr. Lafone, Sir Ughtred Kay-Shuttleworth, Mr. Isaacs*)
c. 2R. deferred *Aug* 1, 1190 [Bill 78]

SCHWANN, Mr. C. E., *Manchester, N.*
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Local Government Bill—Fishermen's Dwellings, Questions, Mr. Esslemont, Dr. Clark; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *July* 30, 763
Market Rights and Tolls—The Royal Commission, Question, Mr. Menzies; Answer, The President of the Local Government Board (Mr. Ritchie) *July* 27, 662
Marriage Laws — Fees for Publishing the Banns, Questions, Mr. Philipps; Answers, The Lord Advocate *July* 31, 938; *Aug* 2, 1235; *Aug* 7, 1829

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Appointment of School Inspectors, Question, Dr. Clark; Answer, The Lord Advocate *July* 30, 752

Burgh of Culross, Question, Mr. Wallace; Answer, The Lord Advocate *July* 30, 737

Elementary Schools, Stirlingshire, Question, Mr. J. C. Bolton; Answer, The Lord Advocate *Aug* 2, 1231

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Salmon Fishing—The Morar Fishings, Inverness-shire, Question, Mr. Fraser-Mackintosh; Answer, Sir Herbert Maxwell (A Lord of the Treasury) *July* 23, 188

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The Airdrie Sheriff Court, Question, Dr. Cameron; Answer, The Lord Advocate *July* 20, 31

Sentence of Whipping, Question, Mr. Cunninghame Graham; Answer, The Lord Advocate *July* 26, 548

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Appointment of a Chief Constable for Rossshire, Question, Mr. Fraser-Mackintosh; Answer, The Lord Advocate *July* 23, 189

Scotland—Educational Endowments (Scotland) Act, 1882 (*Burgh of Culross and County of Perth Endowments*)

Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the scheme for the management of the Endowments in the burgh of Culross, county of Perth, known as the Geddes Trust, Bill's and Law's Mortifications, and Valleyfield Endowment, approved by the Scottish Education Department, now lying upon the Table of the House" (*Mr. Wallace*) *July* 30, 890; after short debate, Question put; A. 56, N. 95; M. 39 (D. L. 248)

Scotland—Educational Endowments (Scotland) Act, 1882 (*Cullen Trust*)

Moved, "That an humble Address be presented to Her Majesty praying Her Majesty

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Scotland—Educational Endowments (Scotland) Act, 1882 (*Cullen Trust*)—cont.

to withhold Her consent from the scheme for the Management of the Endowments in the parish of Monymusk, in the County of Aberdeen, known as the Cullen Trust, approved by the Scottish Education Department, now lying upon the Table of the House" (*Dr. Farquharson*) *July* 20, 159; after short debate, Question put; A. 54, N. 96; M. 42 (D. L. 233)

Scotland—Educational Endowments (Scotland) Act, 1882 (*Hutton Trust*)

Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the Scheme for the management of the Endowments in the parish of Caerlaverock, county of Dumfries, known as the Hutton Trust, approved by the Scottish Education Department, now lying upon the Table of the House" *July* 26, 617; after short debate, Question put, and negatived

Scotland—Educational Endowments (Scotland) Act, 1882 (*Kirkcudbright Charities*)

Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the Scheme for the management of the endowments in the parishes of Balmaclellan, Dalry, Kells, and Carsphairn, in the stewartry of Kirkcudbright, known as the Murdoch Endowment, the Johnston Bequest, the Davies Bequest, and the M'Adam Bequest, approved by the Scottish Education Department, now lying upon the Table of the House" (*Mr. Mark Stewart*) *July* 26, 600; after debate, Question put; A. 52, N. 85; M. 33 (D.L. 239)

Sea Fisheries Regulation Bill

(*Sir Michael Hicks-Beach, Baron Henry de Worms*)

c. Report of Standing Committee on Trade, &c. *July* 27 [No. 303]

Sea Fisheries Regulation [*Expenses*]

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Moved, "That a Select Committee be appointed to inquire into the facilities which exist for the creation of Small Holdings in land in Great Britain; whether, either in connection with an improved system of Local Government or otherwise, those facilities may be extended; whether, in recent years, there has been any diminution in the number of Small Owners and Cultivators of Land; and whether there is any evidence to show that such diminution is due to legislation:
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l. Report * *July* 20 (No. 226)
Read 3ª * *July* 23
c. Read 1ª * (*Sir M. Hicks-Beach*) *July* 25
2R. deferred *July* 30, 888 [Bill 347]

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c. Read 1° * *Aug* 2 [Bill 364]

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c. Read 1° * *Aug* 2 [Bill 363]

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Resolution reported *Aug* 4, 1619; Moved, "That this House doth agree with the Committee in the said Resolution;" after debate, Debate adjourned
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Supreme Court of Judicature Act (Ireland) (1877) Amendment Bill
(*Lord Herschell*)
l. Read 3ª * *July* 25 (Nos. 199-235)

Supreme Court of Judicature (Ireland) Amendment Bill
(*Mr. Arthur Balfour, Mr. Solicitor General for Ireland, Colonel King-Harman*)
c. Bill withdrawn * *Aug* 6 [Bill 131]

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Ordered, That it be an Instruction to the Committee on the Consolidated Fund (No. 3) Bill, That they have power to make provision therein pursuant to the said Resolution

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